



567 El Camino Real
San Bruno, CA 94066
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STAFF

Aaron Akin, AICP, *Interim Community Development Director*
Mark Sullivan, AICP, *Housing and Redevelopment Manager*
Lisa Costa Sanders, *Acting Planning Manager*
Tony Rozzi, *Assistant Planner*
Laura Russell, *Assistant Planner*
Pamela Thompson, *City Attorney*

PLANNING COMMISSION

Rick Biasotti, *Chair*
Bob Marshall, Jr., *Vice-Chair*
Kevin Chase
Mary Lou Johnson
Perry Petersen
Joe Sammut
Sujendra Mishra

COMMUNITY DEVELOPMENT DEPARTMENT**PLANNING COMMISSION AGENDA**

Tuesday, April 17, 2007
San Bruno Senior Center
1555 Crystal Springs Road
7:00 p.m.

Roll Call**Pledge of Allegiance**

A.	Approval of Minutes	March 20, 2007	
B.	Communications		
C.	Public Comment		↓
			Actions
D.	Announcement of Conflict of Interest		
E.	Public Hearings		
1.	217 Mastick Avenue (UP-07-010; PE-06-007) <u>Environmental Determination:</u> Categorical Exemption <u>Zoning:</u> R-2 (Low Density Residential)	Request for a Use Permit to allow the construction of a lower third story which increases the gross floor area by 55% and proposes a .70 floor area ratio and a Parking Exception to allow tandem garage parking per Sections 12.200.030.B.4, 12.200.030.B.1, 12.200.030.B.2 and 12.200.080.C of the San Bruno Zoning Ordinance. AZ Engineering (Applicant), Todd and Tiffany Guerin (Owner) UP-07-010; PE-06-007	
2.	2811 Crestmoor Drive (UP-07-008) <u>Environmental Determination:</u> Categorical Exemption <u>Zoning:</u> R-1 (Single Family Residential)	Request for a Use Permit to allow the construction of an addition which increases the gross floor area by 58% and proposes a .552 floor area ratio per Sections 12.200.030.B.1 and 12.200.030.B.2 of the San Bruno Zoning Ordinance. Robert S. George (Applicant), Ana and Andrew Kimoto (Owners) UP-07-008	

3.	1161 San Mateo Avenue (UP-07-013) <u>Environmental Determination:</u> Categorical Exemption <u>Zoning:</u> M-1 (Industrial District)	Request for a Use Permit to allow motorcycle sales in conjunction with an existing repair facility per Section 12.96.110.C.8 of the San Bruno Zoning Ordinance. Leon D'Aquino (Applicant); Richard Bertoldi (Owner) UP-07-005	
4.	540 Poplar Avenue (UP-07-009) <u>Environmental Determination:</u> Categorical Exemption <u>Zoning:</u> R-1 (Single Family Residential District)	Request for a Use Permit to allow a large family day care operation in a single-family residential zone per Sections 12.84.200 and 12.96.060.C.6 of the San Bruno Zoning Ordinance. Joseph & Lynne Pisani (Applicant/Owner) UP-07-009	
5.	112 Park Place (UP-07-014 and PE-07-003) <u>Environmental Determination:</u> Categorical Exemption <u>Zoning:</u> C-N (Neighborhood Commercial)	Request for a Use Permit to allow a dental office in a neighborhood commercial zone per Section 12.96.100.C.3 of the San Bruno Zoning Ordinance; and request for a Parking Exception to allow a dental office while not meeting the parking requirements per Sections 12.100.090 and 12.100.120.A of the San Bruno Zoning Ordinance. UP-07-014 and PE-07-003. Dr. Janet Ombao and Erwin Ombao (Applicants) Ashok Gujral (Owner).	
6.	249-257 Santa Lucia <u>Environmental Determination:</u> Categorical Exemption <u>Zoning:</u>	Appeal of the Community Development Director's Decision that an appeal was not made in the prescribed amount of time and that not more than 4-units legally exist on this parcel per section 12.92.030 of the San Bruno Municipal Code.	
7.	Temporary Use Permit Ordinance <u>Environmental Determination:</u> Categorical Exemption	Ordinance modifying and clarifying the process for obtaining Temporary Use Permits for various activities and for obtaining Police Permits for dance or entertainment events	

F.	Discussion		
1.	City Staff Discussion	Select May 10, 2007 Architectural Review Committee Members.	
2.	Planning Commission Discussion		
G.	Adjournment		

Note: If you challenge the above actions in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

CITY OF SAN BRUNO



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PLANNING

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Bob Marshall Jr. *Vice-Chair*
Commissioners:
Mary Lou Johnson
Sujendra Mishra
Perry Petersen
Kevin Chase
Joe Sammut

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION MINUTES

MARCH 20, 2007

San Bruno Senior Center
1555 Crystal Springs Blvd.
7:00 P.M. to 10:00 P.M.

CALL TO ORDER at 7:00 pm.

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Biasotti	X	
Vice Chair Marshall	X	
Commissioner Chase	X	
Commissioner Johnson	X	
Commissioner Mishra	X	
Commissioner Petersen	X	
Commissioner Sammut		X

STAFF PRESENT:

Planning Division: Interim Community Development Director: Aaron Akin
City Attorney: Pamela Thompson
Acting Planning Manager: Lisa Costa Sanders
Assistant Planner: Tony Rozzi
Assistant Planner: Laura Russell
Community Dev. Recording Secretary: Cathy Hidalgo

Pledge of Allegiance: Assistant Planner, Tony Rozzi

A. Approval of Minutes – February 20, 2007

Motion to Approve Minutes of February 20, 2007 Planning Commission meeting

Petersen/Chase

VOTE: 6-0
AYES: All Commissioners Present
NOES: None
ABSENT: Sammut

B. Communication

E-Packets are available on line at www.sanbruno.ca.gov

C. Public Comment

None at this time.

E. Announcement of Conflict of Interest

Chase Item 6.

F. Public Hearings

1. 2380 Rosewood Drive

Request for a Use Permit to allow the construction of an addition to an existing residence that increases the floor area by 74% per Section 12.200.030.B.1 of the San Bruno Zoning Ordinance. Douglas Fong (Applicant), Gary Tom (Owner). UP-06-030

Acting Planning Manager Acting Planning Manager Costa-Sanders entered staff report. Adding Conditions 15 and Conditions 16.

Staff recommends that the Planning Commission approve Use Permit 06-30 based on Findings of Fact 1-6 and subject to conditions 1-16.

Chair Biasotti asked Commission if there were any questions for staff.

Commissioner Petersen: The request is for use permit that increases the floor area by 74%, true, but the reason the permit is requested is it increases floor area by more than 50%.

Acting Planning Manager Costa-Sanders: Will change for future reports.

Commissioner Chase: 74% increase in floor area, on table it shows 55% floor area.

Acting Planning Manager Costa-Sanders: Correct, the proposal is within the allowed floor area.

Commissioner Petersen: The addition results in a increase to the floor area of greater 50%, but proposal meets all other conditions?

Acting Planning Manager Costa-Sanders: Replied, yes.

Chair Biasotti asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced, Doug Fong, architect, the owners are here. Appreciated working with staff and ARC in developing this project.

Chair Biasotti: Questions for applicant?

Commissioner Johnson: Have you read and agree with the 2 new conditions?

Applicant: Yes. In understanding of the proposal of increasing for more than 50% and building permit issued in conformance.

Commissioner Johnson: Any response from neighbors

Applicant: The owners did, received a letter of support from neighbor on right.

Public Comment opened.

Public Comment closed.

Chair Biasotti opened up to Commission for discussion.

Motion to approve Use Permit 06-30 based on Findings of Fact 1-6 and subject to conditions 1-14. Adding Condition 15 and 16.

Commissioner Johnson/Commissioner Petersen

VOTE: 6-0
AYES: All Commissioners Present
NOES: None
ABSENT: Sammut

Chair Biasotti advised of a 10-day appeal period.

Commissioner Petersen: Thanks architect for application and assisting in understanding the plans.

Owners: Thanks Staff.

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood and with the existing two car garage, the off-street parking requirements will be met, thereby eliminating any negative impacts to on-street parking availability.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition will be an economic benefit to the surrounding area.
6. With the existing two-car garage the project complies with the off-street parking standards of the City of San Bruno Zoning Ordinance.

CONDITIONS OF APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-030

shall not be valid for any purpose. Use Permit 06-030 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.

2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on March 20, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

Fire Department – (650) 616-7096

7. Provide minimum 4" illuminated address numbers.
8. Provide hardwired smoke detectors with battery back up to all bedroom and hallway/corridors.
9. Provide spark arrestor on chimney if present.

Department of Public Works – (650) 616-7065

10. Encroachment permit from Engineering Department required prior to work, San Bruno municipal code 8.16.010. Business license and proof of insurance required.
11. Install a sanitary sewer lateral clean-out at property line per City standards detail SS-01.
12. Paint address number on face of curb near driveway approach. Black lettering on white background.
13. Storm water from new roof down-spouts and other on-site drainage, shall be collected and drained to an underground storm water system or through and under sidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1 50% drain to landscape allowed.
14. Plant one 36-inch box size approved tree or payment of \$540.00 each in-lieu replacement tree fund. San Bruno Municipal code section 8.24.060.
15. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
16. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.

2. 2325 Valleywood Drive

Request for a Use Permit to allow the construction of an addition with a total Floor Area of 3,371 square feet (.552) which exceeds the Floor Area standard of .55 per Section 12.200.030.A.1 and exceeds 2,800 square feet with a two car garage per Section 12.96.060.D.4.c of the San Bruno Zoning Ordinance. Robert Wallace (Owner/Applicant) UP-06-042

Acting Planning Manager Costa Sanders entered staff report. Adding Conditions 12 through 15.

Staff recommends that the Planning Commission approve Use Permit 06-42 based on Findings of Fact 1-6 and subject to conditions 1-11 with added conditions 12-14.

Chair Biasotti asked Commission if there were any questions for staff.

Commissioner Petersen: The .552 exceeds the floor area standard, is that the only factor that exceeded the standards. Could this have been approved by staff?

Interim Community Development Director Akin: We would have asked to deduct 20 sq ft, but still would need to come to planning commission for the garage exception.

Commissioner Johnson: What is the standard for 3 car?

Acting Planning Manager Costa-Sanders: Stall size is 10x20 for one car garage.

Commissioner Johnson: On the home?

Acting Planning Manager Costa-Sanders: Greater than 2800 sq ft residence requires a three car garage.

Chair Biasotti asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced, Robert Wallace, owner. In San Bruno since 1976. Wants to add on to beautify home.

Chair Biasotti: Questions for applicant?

Commissioner Johnson: Have you read and understand reports?

Applicant: Thanks staff and agrees with everything. Question on 10, tree, is there a certain tree that needs to go into that location?

Commissioner Marshall: Call the parks and rec department and they will give you a list of qualified trees, or pay the \$540 and the city will plant a tree somewhere in the city.

Public Comment opened.

Public Comment closed.

Chair Biasotti opened up to Commission for discussion.

Motion to approve Use Permit 06-042 based on the Findings of Fact (1-6), subject to Conditions of Approval (1-15).

Commissioner Chase/Commissioner Petersen

VOTE: 6-0

AYES: All Commissioners Present

NOES: None

ABSENT: Sammut

Chair Biasotti advised of a 10-day appeal period.

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood and off-street parking requirements will be met, thereby eliminating any negative impacts to on-street parking availability.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.
6. The proposed expansion complies with applicable off-street parking standards of the zoning ordinance.

CONDITIONS OF APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-042 shall not be valid for any purpose. Use Permit 06-042 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on March 20, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

Fire Department – (650) 616-7096

7. Provide minimum 4" illuminated address numbers.
8. Provide hardwired smoke detectors with battery back up to all bedrooms and hallways/corridors.
9. Provide spark arrestor for chimney.

Department of Public Works – (650) 616-7065

10. At time building permit is issued, a tree planting fee will be required to be paid. The current fee amount is \$540.00. The fee in effect at the time the permit is issued shall be paid.
11. All damaged sidewalk at Valleywood Drive along the frontage of the property shall be removed and replaced. Damaged sidewalk is any location where there is any vertical offset of 1/2" or more. New sidewalk shall be constructed according to City standard detail. A separate encroachment permit will be required for any work in the City right-of-way.
12. Storm water from new and existing roof down-spouts shall be collected and drained to an underground storm water system or through an under sidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1.
13. Install a sanitary sewer lateral clean-out at property line per City standards detail SS-01.
14. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
15. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.

3. 617 – 4th Avenue

Request for a Use Permit to allow the construction of an addition which increases the gross floor area by 85% and exceeds the .55 floor area ratio guideline per Sections 12.200.030.B.1 and 12.200.030.B.2 of the San Bruno Zoning Ordinance. Jose Casco (Owner/Applicant) UP-05-014

Assistant Planner Assistant Planner Rozzi entered staff report.

Staff recommends that the Planning Commission approve Use Permit 05-014 based on the Findings of Fact (1-6), subject to Conditions of Approval (1-17).

Chair Biasotti asked Commission if there were any questions for staff.

Commissioner Petersen: Unusual requirement in condition 11.

Assistant Planner Rozzi: Condition by city engineer

Commissioner Marshall: Curb cut for driveway is 50% of lot?

Assistant Planner Rozzi: The city engineer has the ability to approve 2 car driveway.

Interim Community Development Director Akin: Should be corrected to ¾" for sidewalk replacement

Commissioner Petersen: Sidewalk attention, State Code 5600 which requires property owners to maintain their driveways and sidewalks. Different city, different codes.

City Attorney Thompson: There is no amount specified in the municipal code. The engineer wanted to have a standard that is consistent. Most of the time the differential is over ¾", so that is his recommendation.

Chair Biasotti asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced, Jose Casco, owner. Adding a few extra square feet, master bedroom, needs additional storage. Hoping to have met the city requirements.

Chair Biasotti: Questions for applicant?

Commissioner Johnson: Have you read and agree with the conditions. Have you spoke with your neighbors.

Applicant: Yes and no haven't spoken to neighbors

Commissioner Johnson: Since there is nobody here, they are obviously in agreement

Public Comment opened.

Public Comment closed.

Chair Biasotti opened up to Commission for discussion.

Motion to approve Use Permit 05-14 based on Findings of Fact 1-6 and subject to conditions 1-17, modifying Condition 11

Commissioner Johnson/Commissioner Chase

VOTE: 6-0

AYES: All Commissioners Present

NOES: None

ABSENT: Sammut

Chair Biasotti advised of a 10-day appeal period.

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.

2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood and off-street parking requirements will be met, thereby eliminating any negative impacts to on-street parking availability.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition has been well designed with appropriate finished materials.
6. The proposed expansion complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.

CONDITIONS OF APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-014 shall not be valid for any purpose. Use Permit 05-014 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on March 20, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

Department of Public Works – (650) 616-7065

9. Encroachment Permit from Engineering Department required prior to work. S.B.M.C. 8.16.010
10. Install a sanitary sewer lateral clean-out at property line per City standards detail SS-01.
11. Remove and replace all sidewalk at front of property for all locations where there are any raised or offset concrete sections greater than 3/4-inch. S.B.M.C. 8.12.010.
12. Storm water from new and existing roof down-spouts shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1.
13. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule. S.B.M.C. 8.24.060

Fire Department – (650) 616-7096

14. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
15. Provide spark arrestor for chimney, if present.
16. Provide hardwired smoke detectors with battery backup to all new bedrooms and hallways.
16. The project must comply with all future Fire Department conditions, as required during the plan check review by the Building and Safety Department.

4. **701 Shelter Creek**

Request for a Use Permit to allow special events on a permanent basis per Sections 12.84.070.B and 12.112 of the San Bruno Zoning Ordinance. Gundula Sartor (Applicant); Shelter Creek Homeowners Association (Owner) UP-07-005

Assistant Planner Assistant Planner Rozzi entered staff report.

Staff recommends that the Planning Commission approve Use Permit 07-005 based on the Findings of Fact (1-3), subject to Conditions of Approval (1-12).

Chair Biasotti asked Commission if there were any questions for staff.

Commissioner Marshall: only difference is they won't have to apply to the City for each event, but will be required to obtain an ABC permit for each event?

Assistant Planner Rozzi: the police gave their conditions, we will communicate to ABC that they, may approve a daily license.

Commissioner Marshall: what is going to stop a 16 unit building across the street from having these gatherings?

Assistant Planner Rozzi: the intent is to encourage social gatherings within a community. If another complex was interested they would have to go through the same application procedure.

Commissioner Marshall: Are we saying yes to everyone.

Interim Community Development Director Akin: Use permits are unique to the application. We wouldn't be setting a precedent, this is a unique property.

Commissioner Johnson: Does this require additional parking?

Assistant Planner Rozzi: one of the conditions is that all activities must use on site parking. The intent isn't for public but for the homeowners and residents who already have appointed parking.

Commissioner Petersen: the report does address parking impact, did you consider?

Interim Community Development Director Akin: since the events are for residents, they would have parking. The City Attorney Thompson recommends adding a condition that they can't sublet this area that may impose parking problems.

Commissioner Petersen: some attendance by non residents anticipated?

Interim Community Development Director Akin: didn't consider anything beyond what is normal activity for shelter creek.

Commissioner Marshall: is there a condition that says this is only for owners/residents.

Interim Community Development Director Akin: we can add it.

Chair Biasotti asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced, Gundula Sartor, director of board of shelter creek, currently chair person of recreation committee. Want to do these functions without complications. They are 3 hour events to meet new and bring together current residents, usually 25 residents, who have restricted parking for their units. It is not a big party event.

Commissioner Marshall: you have no problem of condition for only residents.

Applicant: no

Chase: Yard sales, that creates more parking issues, in comparison to your events, correct?

Applicant: yes

Commissioner Chase: do you have to get permits for that?

Applicant: yes, the lots are sectioned out.

Commissioner Chase: for staff, this UP will not include anything like that, just mixers.

Interim Community Development Director Akin: no the permit is specific for these types of events.

Chair Biasotti: Questions for applicant?

Public Comment opened.

Public Comment closed.

Chair Biasotti opened up to Commission for discussion.

Motion to approve Use Permit 07-005 based on the Findings of Fact (1-3), subject to Conditions of Approval (1-12) with addition of condition 13.

Commissioner Chase/Mishra

VOTE: 6-0
AYES: All Commissioners Present
NOES: None
ABSENT: Sammut

Chair Biasotti advised of a 10-day appeal period.

FINDINGS OF FACT

1. The proposed use will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use because of the conditions of approval regulating noise, garbage removal and event hours as placed by the reviewing departments.
2. The proposed use will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city, as evidenced by the successful special events held in the recent past.
3. The proposed use will be consistent with the general plan.

CONDITIONS OF APPROVAL

Community Development Department – (650) 616-7074

1. This permit shall be subject to emergency suspension by the Chief of Police, Chief of Fire or his/her designated representative, if he/she determines that the use does not conform to the required conditions and the continued use would constitute an immediate threat to public health and/or safety.

2. Hours of operation shall be limited to 5:00pm to 12:00am for evening special events and subject to revision only with approval of the Community Development Director.
3. On a yearly basis, the applicant shall file a Certificate of Insurance in the amount of \$1,000,000 which covers bodily harm and injury liability and property damage liability, naming the City of San Bruno as additionally insured.
4. All parking for this use shall be off-street and confined to legally designated parking spaces within the subject site and on the surrounding streets.
5. All special event activities shall be confined to the property at 701 Shelter Creek Lane.
6. There shall be at least one security guard onsite for the duration of each special event. All security personnel shall be designated so as to be easily recognizable by the participants and San Bruno Police.
7. Parking lot areas shall be left clear of all loose paper and debris from the special event. The final clean up shall be accomplished no later than 24 hours after the end of the event.
8. An Alcohol and Beverage Control (ABC) license shall be secured and available on site at the request of the Police or Fire Departments prior to start of each event.
9. Use Permit 07-005 approval shall be available on site during the event.

Fire Department – (650) 616-7096

10. Application requires annual special events permit issued by Fire Department.
11. No booths or tents at this location without the permission of the Fire Department and the issuance of any required Fire Code Permits.
12. No food will be cooked at this location without the permission of the Fire Department and San Mateo County Health Department.
13. Cannot sublet the clubhouse for use by outside organizations.

5. 3520 Longview Drive

Request for a Use Permit to allow a large family day care operation in a single-family residential zone; per Section 12.84.200 & 12.96.060.C.6 of the San Bruno Zoning Ordinance. Mary Commissioner Petersen (Applicant); Joanne Funk (Owner) (UP-07-004)

Assistant Planner Russell entered staff report.

Staff recommends that the Planning Commission approve Use Permit 07-004 based on Findings of Fact (1-4) and Conditions of Approval (1-13).

Chair Biasotti asked Commission if there were any questions for staff.

Chair Biasotti asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced, Mary Petersen, want to accommodate parents that has currently.

Chair Biasotti: Questions for applicant?

Commissioner Johnson: don't expect more than 8, is that average daily attendance?

Applicant: average daily attendance, anticipate 10 currently have 8, including her own children.

Commissioner Johnson: you are not having more than that?

Applicant: that's correct.

Commissioner Johnson: in the hours of operations, no outside time in morning.

Applicant: do more preschool work, eating, and get outside around noon. When weather improves will be outside more.

Commissioner Johnson: ages of children?

Applicant: mostly 2 years old

Commissioner Johnson: have any tricycles on cemented area?

Applicant: usually have cars and scooters on deck.

Commissioner Johnson: toys with wheels are noisy on pavement

Applicant: most things are kept on the deck

Commissioner Johnson: will you use the garage at any time?

Applicant: no. It is off limits.

Commissioner Johnson: parents have to sign in and out. You have made that a requirement?

Applicant: yes

Commissioner Johnson: make notation to families that if they have a request to bring child out to car, deter from honking.

Applicant: agree

Commissioner Johnson: any activities that would increase loud noise from the kids?

Applicant: no

Commissioner Johnson: how long in operation?

Applicant: 3-1/2 years

Commissioner Johnson: any complaints from neighbors?

Applicant: no, have good relations.

Commissioner Petersen: people are sensitive to honking. Your application says that you expect to have 8-10 children and you have 14 maximum, do you want to amend this?

Applicant: yes, definitely to 11

Interim Community Development Director Akin: staff recommends having it up to 14, so in the future they don't have to come back to PC to expand.

Commissioner Chase: State licensing would allow up to 14, so this is a moot point.

Interim Community Development Director Akin: yes, consistent approval is appropriate

Commissioner Johnson: absolutely correct. We cannot mandate 8-10.

Public Comment opened.

Public Comment closed.

Chair Biasotti opened up to Commission for discussion.

Motion to approve Use Permit 07-004 based on Findings of Fact (1-4) and Conditions of Approval (1-13).

Commissioner Johnson/Commissioner Chase

VOTE: 6-0
AYES: All Commissioners Present
NOES: None
ABSENT: Sammut

Chair Biasotti advised of a 10-day appeal period.

FINDINGS FOR APPROVAL

1. The use permit to operate a large family day care home is for the house located at 3520 Longview Drive, which is located in a residential district.
2. The use permit to operate a large family day care home at the house at 3520 Longview Drive will not result in undue negative impacts upon the neighborhood vicinity in terms of traffic, parking, and noise.
3. The operator of the facility will provide a two car driveway on the lot for parking or stopping of vehicles to allow children to be picked up or dropped off within thirty (30) minutes before and after the hours of the day when day care will be provided.
4. The existing home complies with applicable off-street parking standards of the zoning code since the subject property contains an attached two car garage
5. Based on a site inspection by the Fire Department staff, with the conditions of approval, the existing home complies with applicable building and fire code provisions.

CONDITIONS FOR APPROVAL

Community Development Department - (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-004 shall not be valid for any purpose.
2. Applicant must obtain a business license through the Finance Department.

3. The request for a use permit for a large family day care home at 3520 Longview Drive shall operate according to plans approved by the Planning Commission on March 20, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. Parents and guardians dropping off and picking up children from the home shall be directed to not honk their car horn.
5. Parents and guardians dropping off and picking up children from the home must park on the driveway when picking up and dropping off their children. In the event the driveway is not available, the parents shall use the parking area directly in front of the home.
6. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
7. Children shall be supervised at all times when outdoors to control noise levels. Violation of the Noise Ordinance could result in this application being called back up to the Planning Commission for revocation.
8. The applicant shall obtain a license from the State of California to operate a large family day care center.
9. The number of children shall be limited to a maximum of fourteen (14) at any one time, including any of the applicant's own children.
10. Applicant must park their personal vehicle(s) in the garage within thirty (30) minutes before and after daycare hours. If, in the future, non-resident employees are hired, they must park in the garage or receive approval for a revised parking configuration from the Community Development Director.

Fire Department - (650) 616-7096

12. Provide a manual pull station with a horn and strobe. Installation will require an electrical permit.
13. Approval pending final inspection by Fire Department

Commissioner Chase recused, conflict of interest.

6. 446 Redwood Avenue

Request for a Use Permit to allow the construction of an addition which exceeds the Floor Area standard of .55 per Section 12.200.030.A.1 of the San Bruno Zoning Ordinance. Martijn and Michelle Blumenthal, (Applicant/Owner) - UP-07-12

Acting Planning Manager Costa Sanders entered staff report, noting three additional conditions.

Staff recommends that the San Bruno Planning Commission approve Use Permit UP-07-12 subject to the attached Findings of Fact (1-6) and Conditions of Approval (1-13 with additional conditions 14-16).

Chair Biasotti asked Commission if there were any questions for staff.

Commissioner Petersen: how about sewer clean-out,

Acting Planner Costa Sanders – will add as condition 17.

Commissioner Petersen: P- condition 10, says ALL, others were 50%.

Acting Planner Costa Sanders -specific to roof downspouts on the other condition.

Chair Biasotti asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced, Michele and Martijn Blumenthal, applied for UP almost 4 years ago, learned a lot, lot of structural to the first plans, the bids were more than this current project would cost, scrapped plan. Actually living area is going to be less than originally proposed.

Chair Biasotti: Questions for applicant?

Applicant -Home is below sidewalk level, and there is a drain on the east side drain to the back of the house, plans reflected drains to the existing. We do maintain with neighbors the existing drain. A site review was done by staff; they can note that we are below for drainage.

Acting Planning Manager Costa Sanders – Checked with engineer and these are preliminary plans, we can modify condition 10 that the plans be to the satisfaction of the city engineer.

Public Comment opened.

Public Comment closed.

Chair Biasotti opened up to Commission for discussion.

Motion to approve Use Permit UP-07-12 subject to the attached Findings of Fact (1-6) and Conditions of Approval (1-13, with additional conditions 14-17 and modify condition 10)

Commissioner Petersen/Mishra

VOTE:	5-0
AYES:	All Commissioners Present
NOES:	None
ABSTAIN:	Commissioner Chase
ABSENT:	Sammut

Chair Biasotti advised of a 10-day appeal period.

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.

2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood and the off-street parking requirements are met, thereby eliminating any negative impacts to on-street parking availability.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition will be an economic benefit to the surrounding area.
6. With the provision of a two-car garage the project will comply with the off-street parking standards of the City of San Bruno Zoning Ordinance.

CONDITIONS OF APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-012 shall not be valid for any purpose. Use Permit 07-012 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on March 20, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.

6. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

Fire Department – (650) 616-7096

7. Provide minimum 4" illuminated address numbers on the front of the building.
8. Provide hardwired smoke detectors with battery back up to all bedroom and hallway/corridors.
9. Provide spark arrestor on chimney if present.

Department of Public Works – (650) 616-7065

10. Note that the City does not own or maintain rear yard storm drain system. All collected storm drainage shall be discharged into curb at front of property to the satisfaction of the City Engineer.
11. Any work in public right of way including new sewer lateral or new drain through curb will require issuance of separate encroachment permit. All work in right of way shall comply with standard specifications and standard plans.
12. Any damaged sidewalk, curb, gutter, or driveway will be required to be repaired. Any crack or offset of 3/4" or more constitutes damage that will require repair.
13. At time that building permit is issued, applicant will need to pay tree planting fee of \$540.
14. Storm water from new and existing roof down-spouts shall be collected and drained to an underground storm water system or through an under sidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1.
15. Install a sanitary sewer lateral clean-out at property line per City standards detail SS-01.
16. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
17. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.

Chair Biasotti

G. Discussion

1. City Staff Discussion
 - a. Rozzi, Chase, Sammut, and Akin going to league of commissioners conference; will report at next meeting.

b. Select April 12, 2007 Architectural Review Committee Members. – Biasotti, Marshall, Mishra

2. Planning Commission Discussion
None

H. Adjournment

Meeting was adjourned at 8:06 pm

Aaron Aknin

Secretary to the Planning Commission
City of San Bruno

Rick Biasotti, Chair

Planning Commission
City of San Bruno

NEXT MEETING: April 17th, 2007

AA/ch



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STAFF

Aaron Akin, AICP, *Interim Comm. Development Director*
Mark Sullivan, AICP, *Housing and Redevelopment Manager*
Lisa Costa Sanders, *Acting Planning Manager*
Tony Rozzi, *Assistant Planner*
Laura Russell, *Assistant Planner*
Pamela Thompson, *City Attorney*

PLANNING COMMISSION

Rick Biasotti, *Chair*
Bob Marshall, Jr., *Vice-Chair*
Kevin Chase
Mary Lou Johnson
Perry Petersen
Joe Sammut
Sujendra Mishra

**PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E1
April 17, 2007**

PROJECT LOCATION

1. Address: 217 Mastick Avenue
2. Assessor's Parcel No: 020-381-140
3. Zoning District: R-2 (Low Density Residential District)
4. General Plan Classification: Low Density Residential

EXHIBITS

- A: Site Location
- B: Site Plan, Floor Plans, and Elevations
- C: San Mateo Countywide Sustainable Buildings Checklist
- D: San Bruno Historic Inventory Survey Listing

REQUEST

Request for a Use Permit to allow the construction of a lower third story which increases the gross floor area by greater than 50% (55%) and proposes a floor area ratio that exceeds the .55 guideline (.70) and a Parking Exception to allow tandem garage parking per Sections 12.200.030.B.4, 12.200.030.B.1, 12.200.030.B.2 and 12.200.080.C of the San Bruno Zoning Ordinance. AZ Engineering (Applicant), Todd and Tiffany Guerin (Owner) **UP-07-010; PE-06-007**

RECOMMENDATION

Staff recommends that the Planning Commission **approve** Use Permit 07-010 and Parking Exception 06-007 based on the Findings of Fact (1-8), subject to Conditions of Approval (1-18).

REVIEWING AGENCIES

Community Development Department
Public Works Department
Fire Department

LEGAL NOTICE

1. Notices of public hearing mailed to owners of property within 300 feet on April 6, 2007.

ENVIRONMENTAL ASSESSMENT

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15303(A): New Construction of a Single Family Residence/Conversion of a Structure.



EXISTING CONDITIONS

The subject property is located on the west side of Mastick Avenue, between Chapman and San Felipe Avenue. This is a rectangular-shaped lot with a sub-standard total size of 4,100 square feet (typical lots are 5,000 s.f. and measure 50'-0" by 100'-0"). The lot is 50'-0" wide and 82'-0" deep. The property is currently developed with a Colonial Revival: Dutch Gambrel style home, constructed in 1909 by or for San Bruno electrician A.A. Pudsey. Unaltered in its appearance, except perhaps for its composition shingle roof, this is a three bedroom and one bathroom, 1,820 square foot two-story residence with no covered

parking area. Although noted on the original County Assessor's map that a detached structure existed on the NE corner of the property, that structure no longer exists at the subject site. There are two existing concrete parking pads, located on both the north and south sides of the property that are currently used for off-street parking area. The existing home has a 10'-0" north side yard setback and a 13'-10" south side yard setback. This home is located in the San Bruno Park 3rd subdivision and is part of the City of San Bruno's Historic Inventory Survey, completed in 2001. The surrounding neighborhood is made up of more recently constructed (mid 20th century) singly-family and multi-family residences. Immediately adjacent to the subject property are other single-family structures.

SURROUNDING LAND USES

North: Chapman Avenue - R-2 Zone, low density residential
South: San Felipe Avenue - R-2 Zone, low density residential
East: East Avenue - R-2 Zone, low density residential
West: El Camino Real - C-1 Zone, general commercial

PROJECT INFORMATION

This project has proposed two alterations to the subject property: (1) Foundation reinforcement and (2) Excavation of the existing basement area to create additional living area and a new garage. Specifically, the applicant proposes to construct a lower third story within the existing footprint of the home in order to add area for laundry facilities, a family room and a full bathroom. Additionally, a two-car tandem garage has been designed to meet the City's zoning ordinance requirement that any home with a living area greater than 1,825 s.f. provide a two-car garage. In this case, the home has no garage on-site, due to the fact that the property was developed in 1909. The project would add 645 s.f. of living area on the lower third floor and a new 468 s.f. tandem two-car garage. Access to the new lower level would be accomplished with a staircase down from the existing living room, incorporated into the existing staircase that provides access to the second story. The first level, which contains all the living, dining and sitting rooms as well as the kitchen, would remain the same. The second story, where the three bedrooms and one bathroom are located, would also remain unchanged.

If approved and constructed, this would be a 3 bedroom and 2 bathroom home. Project details are shown in the following table:

SITE CONDITIONS		ZONING REQUIREMENTS	EXISTING CONDITIONS	PROPOSED CONDITIONS
Land Use		R-2	R-1	Same
Lot Area		5,000 s.f.	4,100 s.f. (Adj. 4,428 s.f.)*	Same
Lot Coverage		2,435 s.f. (55%)	1,081 s.f. (24%)	Same
Gross Floor Area		2,435 s.f.	2,018 s.f.	3,131 s.f.
Floor Area Ratio		.55	.46	.70
Building Setbacks	Front	15'-0"	17'-0"	Same
	Rear	10'-0"	24'-0"	Same
	N Side	5'-0"	10'-0"	Same
	S Side		13'-10"	Same
Building Height		28'-0"	33'-3"	Same
Covered Parking		2 spaces	1 space	2 spaces (tandem)

(*) Notes:

- 50'-0" x 82'-0" size lot, adjustment factor of 1.08 used (Adjusted lot size is 4,428 s.f.)
- Proposed Tandem garage 39'-2" x 12'-0" (468 s.f.)
- Proposed addition would be 645 s.f. of living area and a tandem garage measuring 468 s.f. = 1,113 s.f (Increase of 55%)

Square Footage Breakdown:

	First Floor	Second Floor	New Ground Level	Total
Existing	1,081	937	-	2,018
Proposed	-	-	645 living + 468 garage	1,113
Total	1,081	937	1,113	3,131

Proposed 3,131 s.f. home; 2,663 s.f. Living area and a 468 s.f. tandem two-car garage

ARCHITECTURAL REVIEW COMMITTEE

The Architectural Review Committee (ARC) reviewed the project at its March 15, 2007 meeting and forwarded the project to the Planning Commission with a favorable recommendation and the following comments:

- Work with staff to develop a wider driveway that will be easily accessible and provide additional off street parking area.
- Submit Landscaping Plan prior to PC

Commissioners Chase, Biasotti and Johnson were present for this item.

Since the Architectural Review Committee hearing, the applicant has decided to expand the proposed driveway almost five additional feet to a total 11'-8" width. This should allow the driveway to act as an additional off street parking space since doors can now be opened (The previously proposed driveway width was 7'-0"). Regarding landscaping, the project replaces the south side parking pad with lawn since this is displaced with the new driveway. The new site plan shows excessive impervious surface however and staff does recommend that additional area be landscaped to meet Municipal Codes 12.84.180 and 12.96.070.D.6 requiring at least 15% (or 615 s.f.) of the site be landscaped and no more than 85% of the site covered with impervious surface.

ANALYSIS AND RECOMMENDATION

The applicant is proposing an addition of 645 s.f. of living area to the home and a new tandem two-car garage. The project would add a lower third level, increase the existing gross floor area by 55% and exceed the .55 floor area ratio guideline, all of which requires a use permit. Additionally, the construction of a tandem garage requires approval of a parking exception.

*Pursuant to the City's Zoning Code, the Commission shall grant the Use Permit and Parking Exception if it makes the following findings (required findings are in **bold** followed by staff's analysis of the merits of the project and how the findings can be made):*

- 1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.**

With the condition that the applicant obtain a building permit prior to construction, the addition will be constructed according to the Uniform Building Code (UBC) and therefore will not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood. The entire addition will be within the existing envelope of the home, thereby maintaining the existing side, rear and front setbacks. The home is set back 10'-0" from the north side yard property line, 13'-10" from the south side yard property line and 24'-0" to the rear property line, complying with the setback requirements to provide for fire safety construction and egress requirements.

- 2. The proposed development will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.**

The applicant is proposing a lower third level, which would require the excavation of 2'-6", in order to provide a two-car tandem garage and new family room with bathroom to the residence, located in the Redevelopment Project Area. The only exterior changes would be to the front elevation to add a garage door for access to the new garage and the extension of the south elevation bay windows to grade. The existing bay windows are currently supported with deteriorated beams that are to be replaced as part of the foundation repair. This repair would utilize building materials identical to the existing structure. In this case, because the home is part of the City's Historic Inventory, the home is not similar to other structures found in the immediate area but the proposed alterations are consistent with the home itself. The applicant has proposed a new garage door designed as a faux carriage door to match the general

appearance of the home and this was supported by the Architectural Review Committee at the March 15, 2007 hearing.

Regarding the proposed .70 Floor Area Ratio, the subject property has a small lot depth that creates the higher ratio but should not impact the current streetscape since all additions are to be made within the existing envelope. This is important because a substandard lot depth has a diminished effect on how a building's mass is perceived from the public right-of-way (typically, the sidewalk) and how new development affects the adjacent neighbors. In this case, all side yard setbacks are met. The mass of the home will not change and the home's overall height will not change, remaining 33'-3" as originally constructed. The proposal, with alterations to the existing home, complements the current neighborhood in that it maintains a historic home in the San Bruno Park 3rd subdivision, both in scale and with its architectural features. Additionally, it is consistent with the permitted uses of single family residential district neighborhoods.

The proposal will benefit the City and the surrounding neighborhood through construction of a well designed lower level addition and by its general conformance to a majority of regulations as set forth in the Zoning Ordinance. Therefore, staff determines that the addition will not be detrimental to improvements in the neighborhood or to the general welfare of the City.

3. The proposed development will be consistent with the general plan.

The San Bruno General Plan designates the property as a low-density residential district. The proposed single family dwelling is thus consistent with the residential general plan designation.

Goal 3 of the City's 1984 General Plan states "encourage public and private development which is aesthetically sensitive to the surrounding environment and is of the highest quality design and construction." Staff finds that the addition will have minimal impact on the architecture of the residence and will remain consistent with the existing home.

General Plan Residential Policy 1 states "protect the residential character of existing residential neighborhoods." The proposed addition will not affect the exterior of the home or the existing lot coverage, thereby preserving the character of the historic home and not impacting the surrounding area.

4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.

All portions of the addition will occur below the existing home, thus not altering the current appearance of the residence. Furthermore, the proposal to expand includes a new two-car tandem garage, which will improve the current on-street parking congestion of the neighborhood. As a recorded home in the City's Historic Building Survey completed in 2001, the changes would not alter the residence in a way that would negatively affect the subject property or surrounding area.

5. That the general appearance of the proposed building, structure, or grounds will be in keeping

with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.

With an historic home, staff focuses on how the general appearance of the proposed building will remain consistent not only with the neighborhood but also with the home's architectural style. This includes both the exterior and interior appearance of the home. In this case, the surrounding area has homes built in the mid-1950's and with contemporary architectural designs so the property's historical significance is unique to the neighborhood. Because the home will not expand beyond the existing footprint, the effect on the surrounding area should be minimal. Regarding the proposed alterations, a new garage door has been designed at the front of the home for the lower level addition. A new driveway would be graded to access the garage and an existing basement level window would be replaced with the new garage door. A faux carriage door design for the garage entryway will be installed to remain similar with the early twentieth century architecture (Colonial Revival: Dutch Gambrel).

Regarding the interior of the home, the floor plans are also historic. The proposal for a new lower third level preserves the existing original floors of the home.

Upon site visit, staff noted that a significant portion of the home has been paved with concrete pads for on-site parking area. As a condition of approval for the new addition and tandem garage, these areas will need to return to landscape/ hardscape prior to final Planning approval.

The expanded residence will be an improvement not only to the subject property, which lacks off-street covered parking and adequate bathroom facilities for a modern family, but also to the modest neighborhood, which is comprised of contemporary, ranch and craftsman style single family homes. The on-street parking in the area should not be negatively impacted, which would otherwise diminish the desirability of the adjacent properties and overall neighborhood.

6. The proposed expansion complies with applicable off-street parking standards of the zoning ordinance.

The project proposes that a new two-car tandem garage for the expanded home remain, accessed from the front of the property via a new curb-cut at the front of the property. Due to the size of the home and current condition of no covered parking, any proposed expansion must comply with the parking standards of the San Bruno Municipal Code. In this case, the applicant has designed a tandem garage (which requires a parking exception and is specifically discussed in Findings of Fact 7-8) that meets the required two-car, covered off-street parking area. The proposed driveway will span 11'-8" wide and have a depth of 18'-0" (A 20'-0" depth is not possible without moving the home and foundation).. With a condition requiring the garage always be available to park two vehicles, all off-street parking standards will be met with this proposal.

7. The strict application of the provisions of this chapter would cause particular difficulty or undue hardship in connection with the use and enjoyment of said property.

In regards to this Parking Exception request, the applicant has proposed a new off-street covered parking area in order to meet the City's zoning ordinance requirements. In order to expand the home, the

applicant must provide the required parking since there is no existing garage on site. Built in 1909, this home faces several challenges for a modern family to live in it: Specifically, that the home has only one bathroom, no area for laundry facilities, no garage and very little storage area. The surrounding neighborhood is comprised of much more recent home developments and so does not face similar hardship as do the owners of the subject property.

Additionally, there are several significant reasons why a two-car garage can not be designed other than as a tandem garage on the subject property. Firstly, the substandard property's side yard setbacks are not wide enough to provide adequate space for a side by side two-car garage, nor is the rear setback large enough to position a detached two car garage to meet all zoning requirements (namely the separation setback requirement of 6'-0"). Because the property is only 82'-0" in length, where the standard depth is 100'-0", the design of a two car garage as a detached structure is increasingly difficult as well.

Due to the historical significance of the home, the addition of a side by side two-car garage to any elevation of the home would be inconsistent with the architectural design and could not be supported by staff. This proposal is a compromise between the parking requirements of the zoning ordinance, the needs of the homeowners and the goal of preserving the architectural design of the historical home. Strictly applying the parking requirements of the zoning ordinance would otherwise place particular difficulty and/or hardship on the owners of the property.

8. That the establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this chapter as are reasonably possible.

Considering the limits of the substandard sized property and the historical significance of the home, the design of a two-car tandem garage is the best option to provide on-site covered parking per the San Bruno Zoning Ordinance. The home currently has no on-site covered parking in the rather congested neighborhood and with this proposal, would provide two off-street tandem spaces. Because the home is historically significant, the applicant has designed the garage to have a minimal impact on the front elevation and fit within the existing footprint of the home, as originally constructed in 1909 as well.

PUBLIC COMMENTS

None were submitted prior to the Public Hearing.

RECOMMENDATION

Based on the above analysis and Findings of Fact 1-8 below, Staff recommends approval of Use Permit 07-010 and Parking Exception 06-007 subject to conditions 1-18 below.

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and

attain all appropriate Building Division permits.

2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood as reasonably possible considering its historical significance and off-street parking requirements will be met, thereby eliminating any negative impacts to on-street parking availability.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood as reasonably possible considering its historical significance.
5. That the general appearance of the proposed architectural design will be in keeping with the character of the neighborhood as reasonably possible considering its historical significance, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition has been well designed with appropriate finished materials for any exterior portions of the home affected.
6. The proposed expansion complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance with approval of the parking exception request.
7. The strict application of the parking requirement provisions would cause particular difficulty or undue hardship in connection with the use and enjoyment of said property since it is a substandard lot and is of historical significance and thus limited in the scope of façade alteration allowed.
8. That the establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this chapter as are reasonably possible.

CONDITIONS OF APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-010 and Parking Exception 06-007 shall not be valid for any purpose. Use Permit 07-010 and Parking Exception 06-007 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.

3. The request for a Use Permit and Parking Exception for an addition shall be built according to plans approved by the Planning Commission on April 17, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Applicant shall submit a final landscaping plan for Planning staff approval prior to Building Division permit issuance. Landscaping plan shall meet minimum 15% landscaped area requirement per Municipal Code 12.84.180.B.
9. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

Department of Public Works – (650) 616-7065

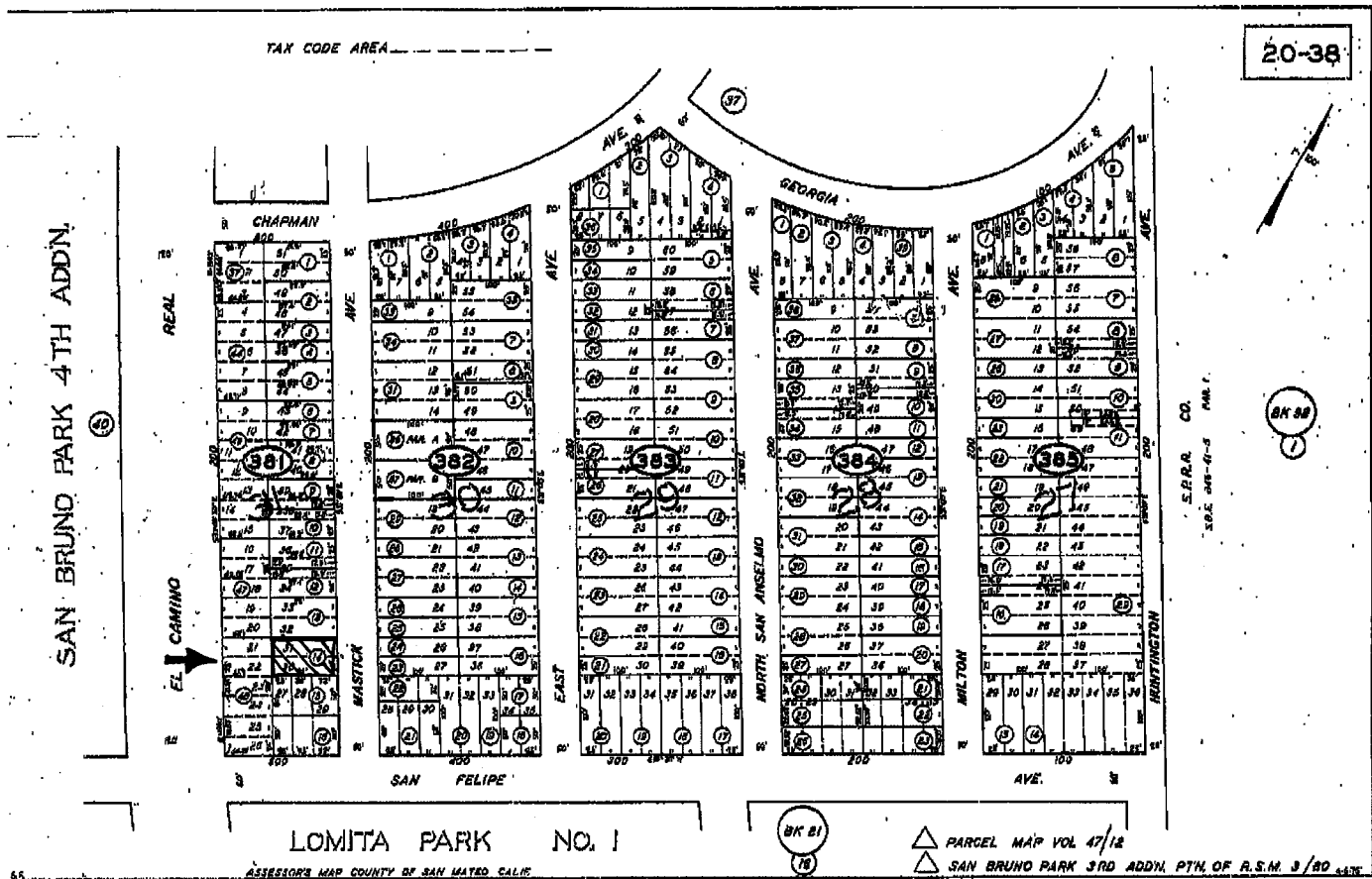
10. Encroachment Permit from Engineering Department required prior to work in the public right-of-way. S.B.M.C. 8.16.010
11. Remove and replace all sidewalk at front of property for all locations where there are any raised or offset concrete sections greater than 3/4-inch. S.B.M.C. 8.12.010.
12. Storm water from new and existing roof down-spouts shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1.
13. New drain at new garage door to discharge to curb through new curb drain.

14. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule. S.B.M.C. 8.24.060

Fire Department – (650) 616-7096

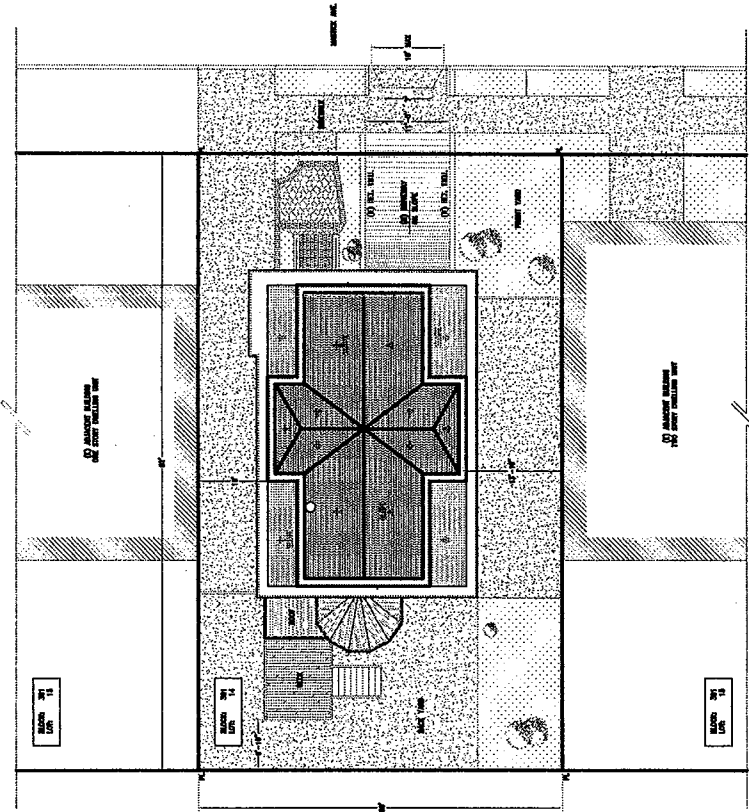
15. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
16. Provide hardwired smoke detectors with battery backup to all new bedrooms and hallways.
17. Provide spark arrestor if chimney is present.
18. The project must comply with all future Fire Department conditions, as required during the plan check review by the Building and Safety Department.

Submitted on 04/02/07 by:
Tony Rozzi
Assistant Planner




217 Mastick Avenue
 020-381-140
 UP 07-010; PE-06-007

Exhibit A – Site Location



(N) SITE PLAN
1/8"=1'-0"




A-0.1

AZ DESIGN AND ENGINEERING, INC.
 400 OSTER POINT BLVD, SUITE 400, SOUTH SAN FRANCISCO, CA 94080
 PH: (650) 533-4031 / FAX: (650) 533-4044 / azdes@azdesign.com

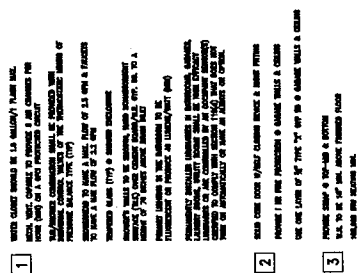
MICHAEL AND SHELLEY GUERIN
 217 MASTICK AVE., SAN BRUNO, CA. 94066

STRUCTURAL RETROFIT

REVISION/DATE	
REV	DATE



JUL 2008



(N) BASEMENT FLOOR PLAN
1/4"=1'-0"



AZ DESIGN AND ENGINEERING, INC.
400 OSTER POINT BLVD., SUITE 438, SOUTH SAN FRANCISCO, CA 94080
Ph: (650) 553-4031 / Fax: (650) 553-4044 / azdesig@azdande.com
217 MASTICK AVE., SAN BRUNO, CA. 94066
MICHAEL AND SHELLEY GUERIN
STRUCTURAL RETROFIT

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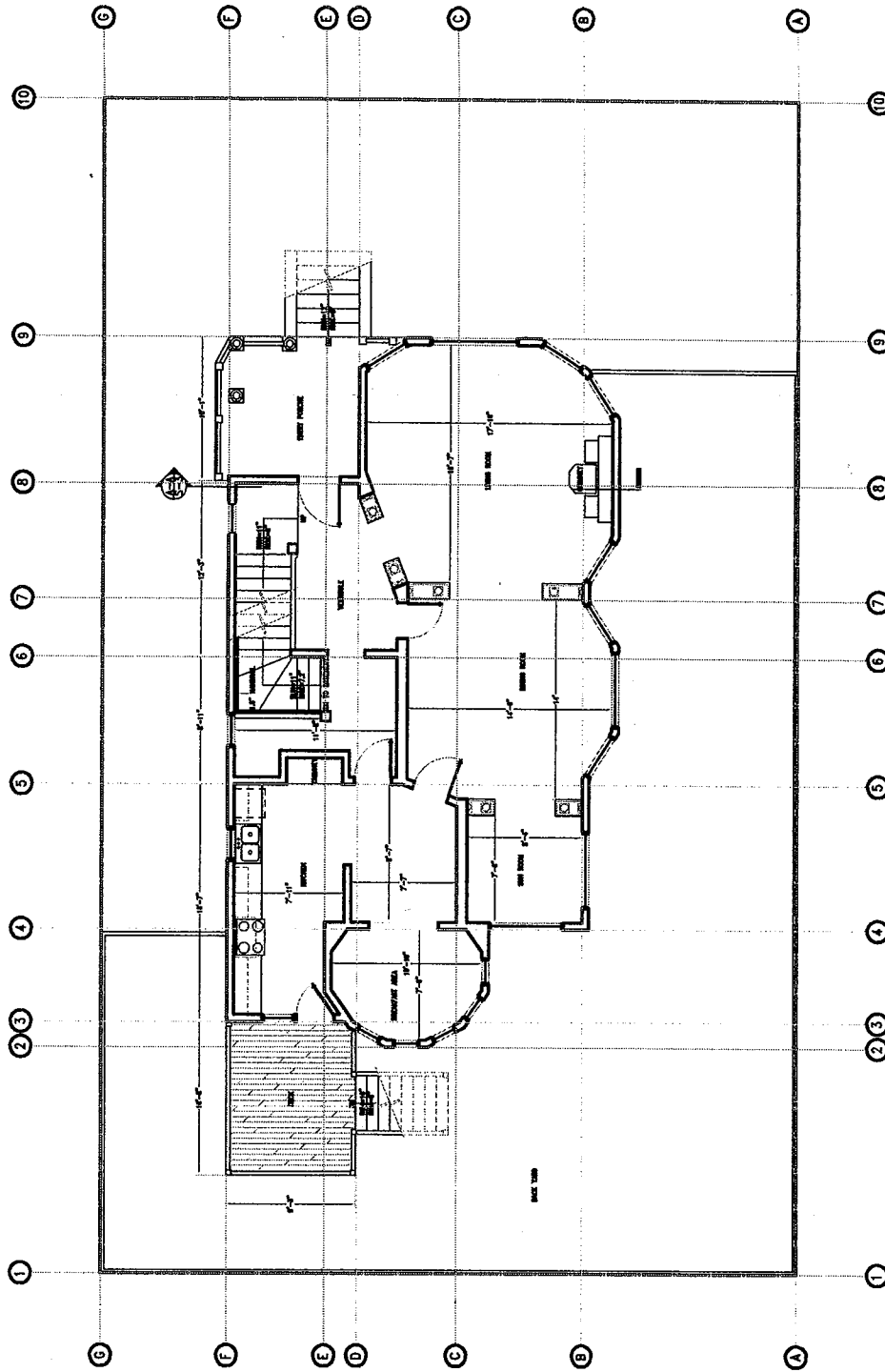
A-1.1



AZ DESIGN AND ENGINEERING, INC.
400 OYSTER POINT BLVD., SUITE 438, SOUTH SAN FRANCISCO, CA 94080
Ph: (650) 353-4031 / Fax: (650) 353-4004 / azdes@azdesign.com
217 MASTICK AVE., SAN BRUNO, CA. 94066
MICHAEL AND SHELLEY GUERIN
STRUCTURAL RETROFIT

[illegible]

A-1.2



(N) FIRST FLOOR PLAN
1/8"=1'-0"

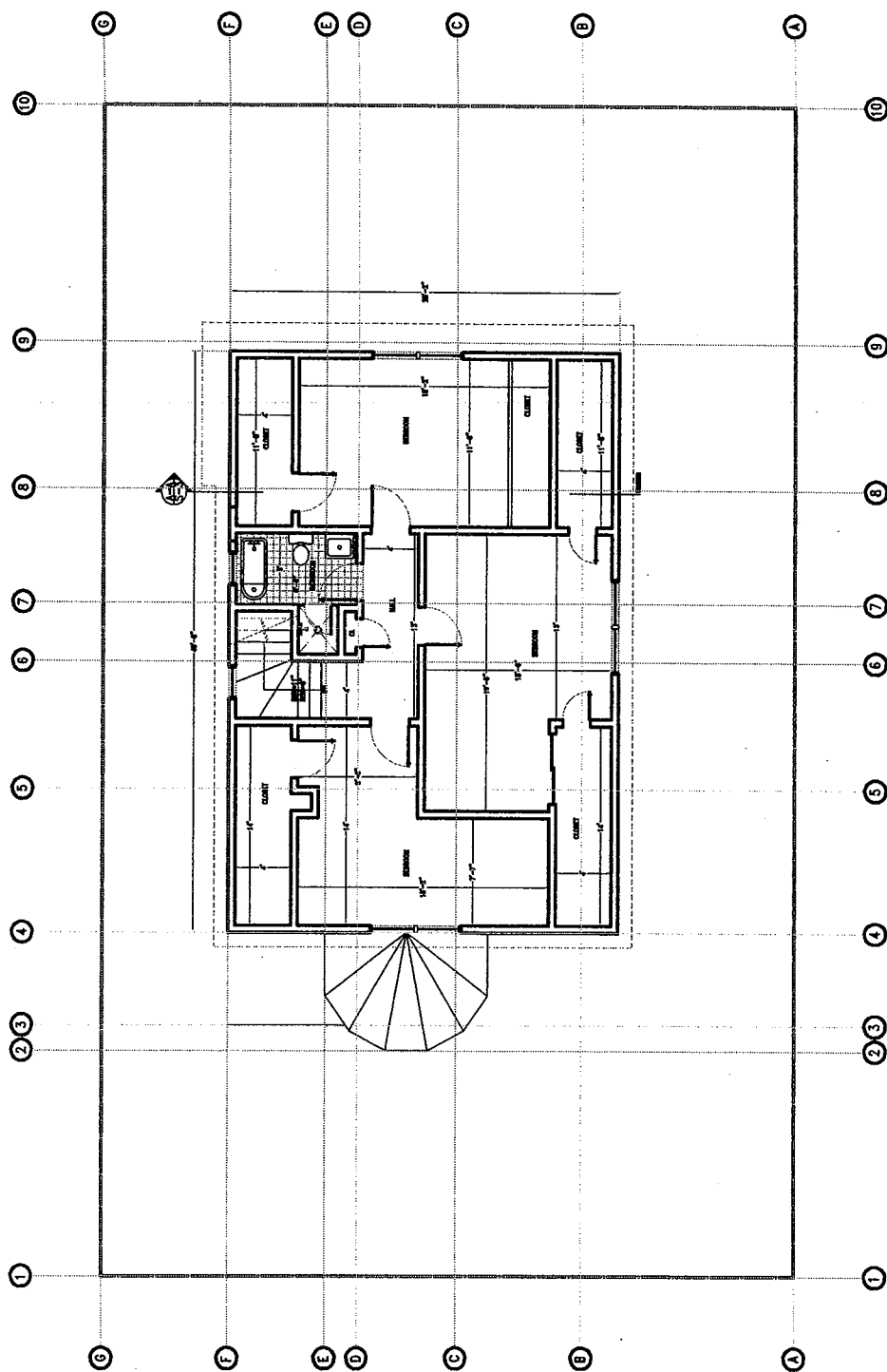


AZ DESIGN AND ENGINEERING, INC.
400 OYSTER POINT BLVD., SUITE 438, SOUTH SAN FRANCISCO, CA 94080
PH: (650) 553-4031 / FAX: (650) 553-4044 / azdesign@aol.com
217 MASTICK AVE., SAN BRUNO, CA. 94066
MICHAEL AND SHELLEY GUERIN
STRUCTURAL RETROFIT



REVISION/DATE	

A-1.3



(E) SECOND FLOOR PLAN

(E) SECOND FLOOR PLAN
1/4"=1'-0"

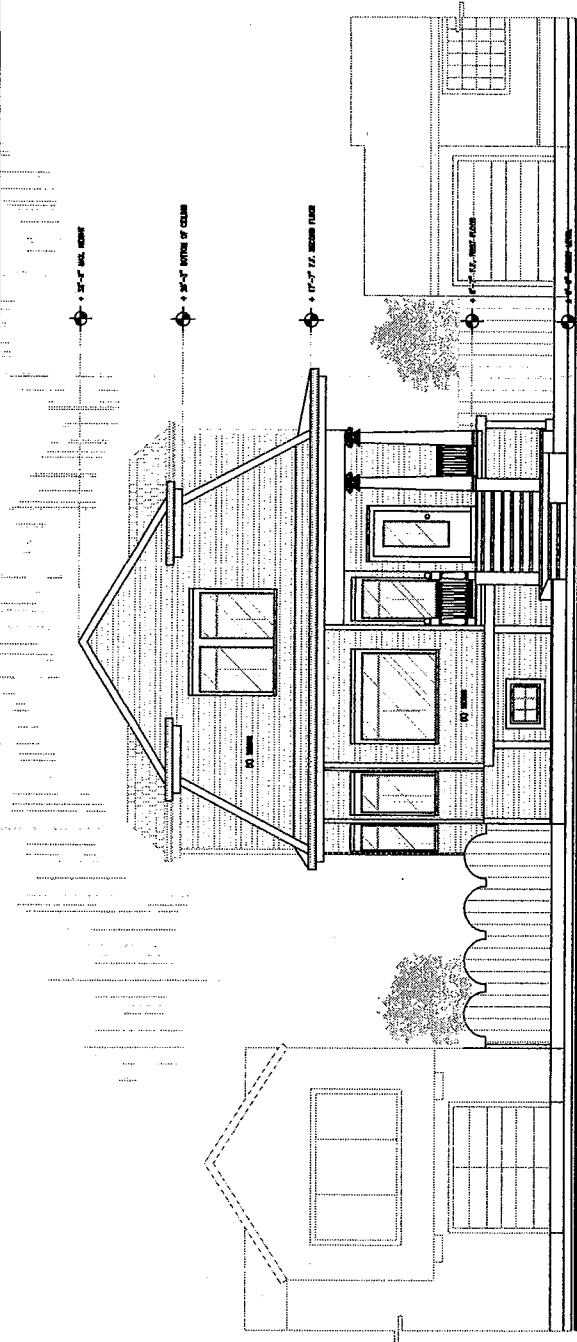


AZ DESIGN AND ENGINEERING, INC.
400 WYSTER POINT BLVD, SUITE 438, SOUTH SAN FRANCISCO, CA 94080
Tel: (650) 353-4031 / Fax: (650) 353-4044 / azdes@azdesigninc.com
217 MASTICK AVE., SAN BRUNO, CA. 94066
MICHAEL AND SHELLEY GUERIN
STRUCTURAL RETROFIT



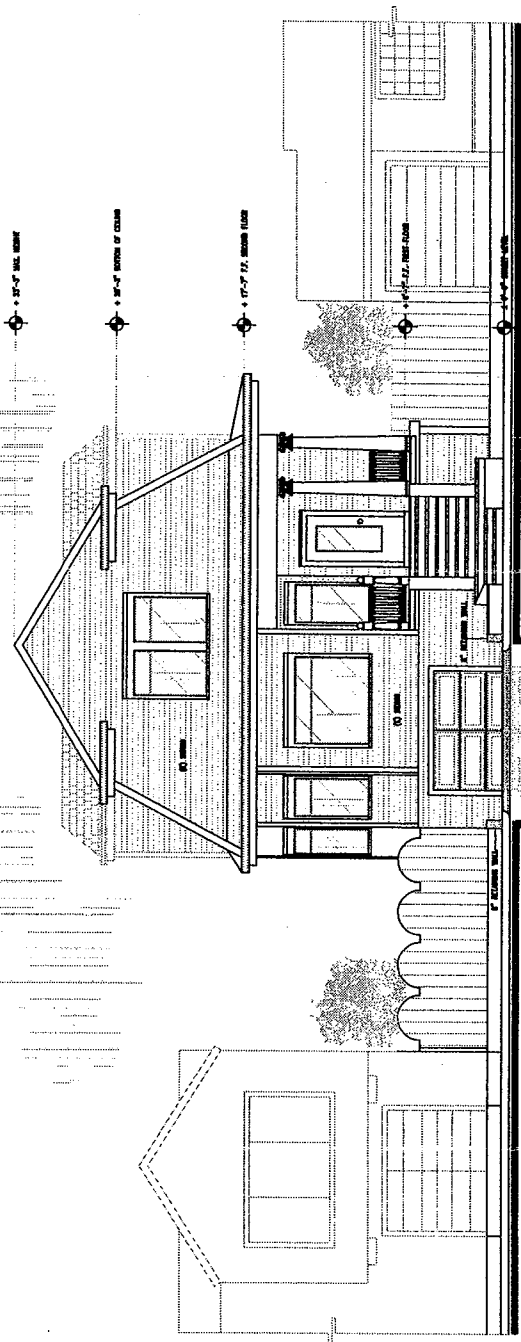
	JUL/08	AS SHOWN	7 / 69	NO DATE
REVISION/DATE				

A-1.4



(E) WEST ELEVATION
(FRONT) 1/4"=1'-0"

NOTES:
1. SEE SHEET 01-100 FOR GENERAL NOTES.
2. SEE SHEET 01-100 FOR MATERIALS.
3. SEE SHEET 01-100 FOR FINISHES.
4. SEE SHEET 01-100 FOR DETAILS.
5. SEE SHEET 01-100 FOR SCHEDULES.
6. SEE SHEET 01-100 FOR SPECIFICATIONS.
7. SEE SHEET 01-100 FOR CONDITIONS.
8. SEE SHEET 01-100 FOR REFERENCES.
9. SEE SHEET 01-100 FOR ABBREVIATIONS.
10. SEE SHEET 01-100 FOR SYMBOLS.



(N) WEST ELEVATION
(FRONT) 1/4"=1'-0"

AZ

AZ DESIGN AND ENGINEERING, INC.
400 OSTER POINT BLVD., SUITE 100, SOUTH SAN FRANCISCO, CA 94080
PH: (650) 553-4031 / FAX: (650) 553-4044 / azdesign@aol.com
217 MASTICK AVE., SAN BRUNO, CA 94066
MICHAEL AND SHELLEY GUERIN
STRUCTURAL RETROFIT

A-2

REVISION/DATE

NO.	BY	DATE	REVISION
1	MM	10/06	ISSUED



AZ DESIGN AND ENGINEERING, INC.
400 OYSTER POINT BLVD., SUITE 438, SOUTH SAN FRANCISCO, CA 94080
Ph: (650) 533-4031 / Fax: (650) 533-4044 / azdesign@azdesign.com
217 MASTICK AVE., SAN BRUNO, CA. 94066
MICHAEL AND SHELLEY GUERIN
STRUCTURAL RETROFIT

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A-2.1

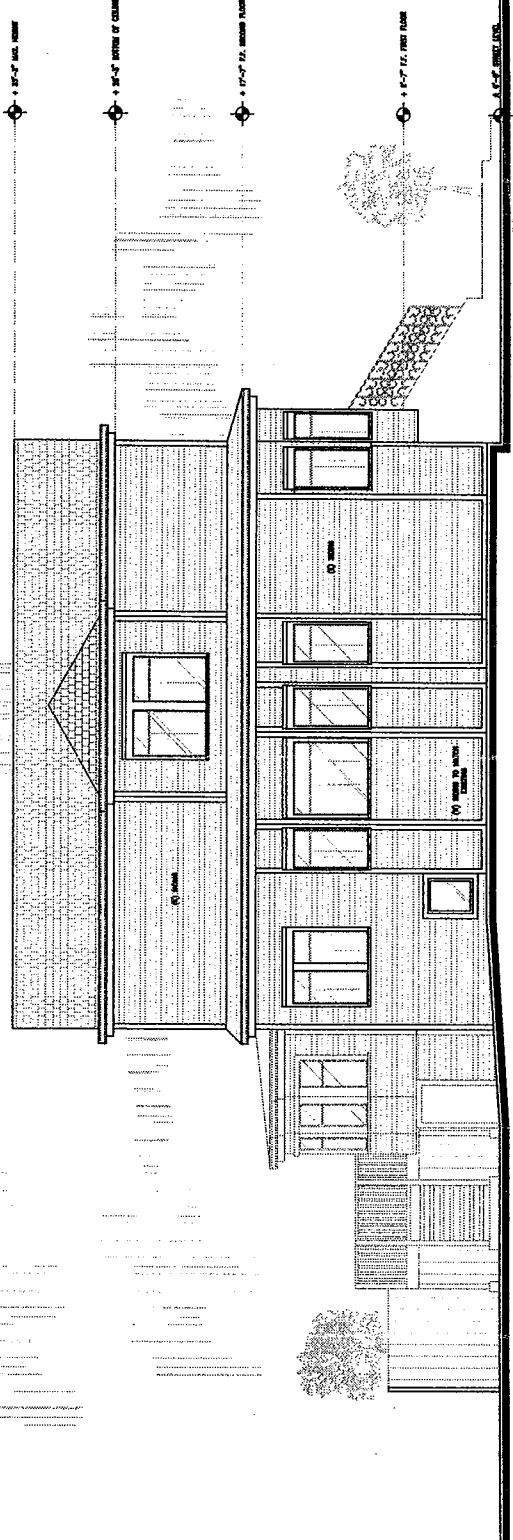
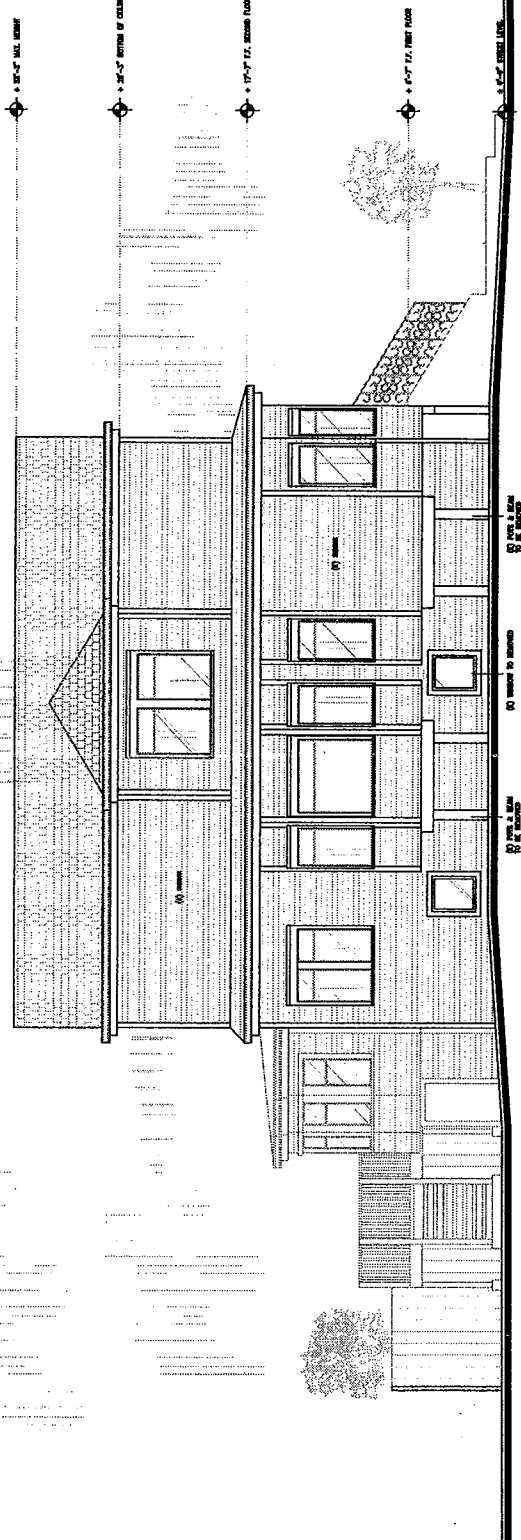


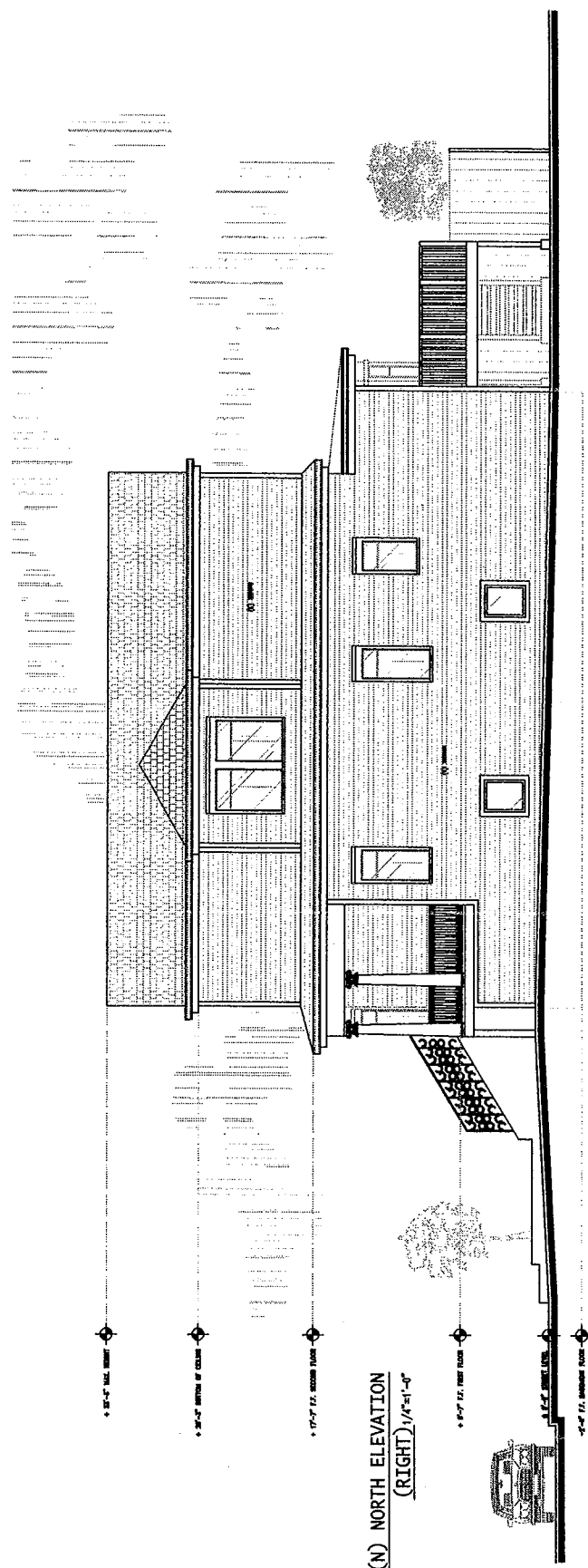
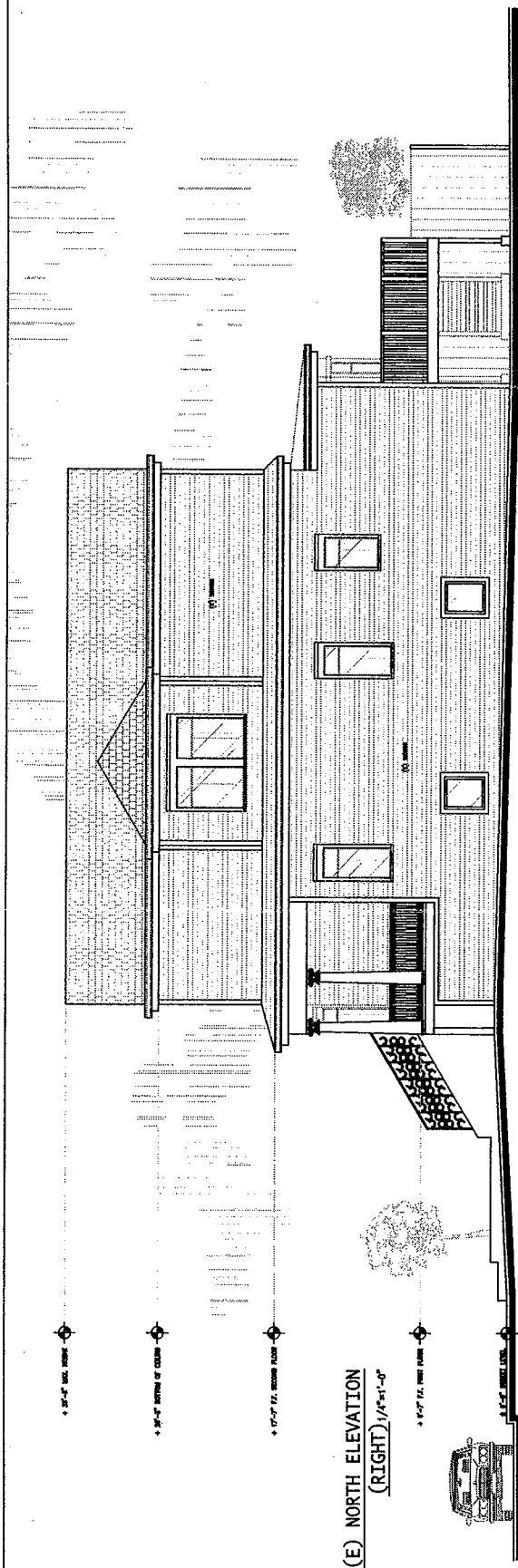
AZ DESIGN AND ENGINEERING, INC.
 400 OSTER POINT BLVD, SUITE 438, SOUTH SAN FRANCISCO, CA 94080
 PH: (650) 533-4031 / FAX: (650) 533-4044 / azdesign@aol.com
 217 MASTICK AVE., SAN BRUNO, CA. 94066
 MICHAEL AND SHELLEY GUERIN
 STRUCTURAL RETROFIT



(E) SOUTH ELEVATION
 (LEFT) 1/4"=1'-0"

(N) SOUTH ELEVATION
 (LEFT) 1/4"=1'-0"





AZ DESIGN AND ENGINEERING, INC.
400 OYSTER POINT BLVD, SUITE 138, SOUTH SAN FRANCISCO, CA 94080
Ph: (650) 553-4031 / Fax: (650) 553-4044 / azdesign@azdesign.com
2127 MASTICK AVE., SAN BRUNO, CA. 94066
MICHAEL AND SHELLEY GUERIN
STRUCTURAL RETROFIT



REVISION/DATE	7/1/08	IN REVISION	7/1/08

A-2.3

SAN MATEO COUNTY WIDE SUSTAINABLE BUILDINGS CHECKLIST

	✓	No	Item	Applicable Building Types			
COMMUNITY PLANNING	Goal: Create a more sustainable community						
		1	Build mixed-use developments and provide public amenities such as open space	c	m		
		2	Cluster development to minimize paving and utilities, and to preserve open space	c	m		
		3	Reuse a brownfield or previously occupied site	c	m		
		4	Design for easy pedestrian, bicycle, and transit access	c	t	m	
SITE & LANDSCAPE	Goal: Respect your site						
	✓	5	Design and landscape to create comfortable micro-climates and reduce heat island effects	c	m	s	
		6	Optimize building orientation for heat gain, shading, daylighting, and natural ventilation	c	m	s	
		7	Reduce building footprint - smaller is better	c	m	s	
		8	Limit site impacts, balance cut and fill, preserve existing vegetation and protect soil during construction	c	m	s	
	✓	9	Use native plants that are drought-resistant, create habitat for indigenous species, and do not require pesticides for maintenance	c	m	s	
	✓	10	Use recycled rubble for backfill drain rock	c	m	s	
	Goal: Save water and reduce local water impacts						
		11	Maximize onsite stormwater management through landscaping and permeable pavement	c	m	s	
		12	Use rainwater harvesting	c	m	s	
	13	Use water-conserving landscape technologies such as drip irrigation, moisture sensors, and watering zones	c	m	s		
WASTE REDUCTION & MANAGEMENT	Goal: Reduce, reuse, recycle						
		14	Reuse a building (renovate) instead of tearing down and rebuilding	c	t	m	s
		15	Deconstruct old buildings for materials reuse (salvage)	c	t	m	s
		16	Recycle construction & demolition waste	c	t	m	s
	✓	17	Design for durability and eventual reuse	c	t	m	s
	18	Provide adequate space for storing and handling recyclables	c	t	m	s	
CONCRETE	Goal: Make concrete with sustainable materials						
		19	Use flyash in concrete	c	t	m	s
		20	Use recycled aggregate in non-structural concrete	c	t	m	s
	21	Use prefabricated forms or save and reuse wood form boards	c	t	m	s	
WOOD FRAMING	Goal: Design to save wood and labor						
	✓	22	Use spacings, sizes, and modular dimensions that minimize lumber use and optimize performance	c	t	m	s
	✓	23	Use engineered lumber or metal stud framing to replace solid-sawn lumber	c	t	m	s
	Goal: Support sustainable forests						
		24	Use sustainably harvested lumber (FSC certified) for wood framing	c	t	m	s
	25	Use reclaimed or salvaged lumber	c	t	m	s	
EXTERIOR TREATMENTS, SIDING & ROOFING	Goal: Make a sustainable roof						
		26	Use durable roofing materials	c	m	s	
		27	Use a cool roof	c	m		
		28	Use a green or living roof	c	m	s	
	Goal: Support healthy environments and sustainable forests						
	29	Use sustainable siding materials	c	m	s		
✓	30	Use sustainable decking materials	c	m	s		
WINDOWS & DOORS	Goal: Save energy through passive design						
		31	Provide shading on east, west and south windows with overhangs, awnings, or deciduous trees	c	m	s	
		32	Plan windows and skylights, light shelves, and window treatments to provide daylight that improves indoor environments	c	t	m	s
	✓	33	Choose window sizes, frame materials, and glass coatings to optimize energy performance	c	m	s	
	✓	34	Stop air leakage at doors and windows	c	m	s	
PLUMBING	Goal: Save water and energy in plumbing systems						
	✓	35	Use water-conserving plumbing fixtures	c	t	m	s
		36	Use water-saving appliances and equipment	c	t	m	s
	✓	37	Insulate hot and cold water pipes	c	t	m	s
		38	Use heat recovery equipment, tankless water heaters and/or on-demand hot water circulation pumps	c	t	m	s
		39	Pre-plumb for future graywater use for toilet flushing and landscape irrigation	c	m	s	
	Goal: Reduce environmental impacts from materials production						
	40	Use sustainable materials for pipes	c	t	m	s	



checklist

NAME: _____
 SITE ADDRESS: _____
 PERMIT NUMBER: _____

Permit applicants are required to complete and return this checklist as part of the permit and planning process. Place a check mark next to each sustainable building practice planned for your project. For assistance, contact your city or call the RecycleWorks hotline at 1-888-442-2666.

c Commercial/
Industrial
 t Tenant
Improvement
 m Multi-family
housing
 s Single-family
home

Exhibit C

SAN MATEO COUNTY-WIDE SUSTAINABLE BUILDINGS CHECKLIST



checklist

Permit applicants are required to complete and return this checklist as part of the permit and planning process. Place a check mark next to each sustainable building practice planned for your project. For assistance, contact your city or call the RecycleWorks hotline at 1-888-442-2666.

	✓ No.	Item	Applicable Building Types				
ELECTRICAL	Goal: Save energy in lighting						
	✓ 41	Design lighting levels for actual use, and use task lighting to reduce general lighting levels	c	t	m	s	
	✓ 42	Use energy-efficient lamps and lighting fixtures	c	t	m	s	
	✓ 43	Use lighting controls that save energy such as occupancy sensors	c	t	m	s	
	Goal: Save energy in equipment use						
	✓ 44	Use ENERGY STAR® appliances	c	t	m	s	
	45	Use a building energy management system	c	t	m		
HEATING & COOLING	Goal: Save energy through passive design						
		46	Use passive solar design, thermal mass, and insulation to reduce space heating needs	c		m	s
		47	Replace air conditioning with natural ventilation and passive cooling	c		m	s
		48	Use ceiling fans for comfort cooling, and use a whole-building fan for night-time cooling	c	t	m	s
		49	Upgrade wall, floor, and ceiling insulation to exceed minimum State requirements	c		m	s
	Goal: Save energy in equipment use						
	✓	50	Use high-efficiency equipment including furnaces, boilers, fans, and pumps	c		m	s
		51	Use heat recovery equipment	c		m	s
		52	Use geothermal systems, cogeneration, or other alternatives for heating and cooling	c		m	
	✓	53	Place ductwork within conditioned space, seal joints properly, and clean before occupancy	c	t	m	s
		54	Zone mechanical systems for more efficient heating and cooling	c	t		
		55	Use radiant and hydronic systems for increased efficiency, health, and comfort	c	t	m	s
✓	56	Use equipment without ozone-depleting refrigerants		t	m		
Goal: Create healthy indoor environments							
✓	57	Use recycled-content, formaldehyde-free fiberglass insulation, cellulose insulation, or other green insulation products	c	t	m	s	
	58	Separate ventilation for indoor pollutant sources and provide advanced filtration to improve indoor air quality	c	t	m	s	
	59	Use clean and efficient alternatives to wood-burning fireplaces			m	s	
RENEWABLE POWER & SOLAR ENERGY	Goal: Replace fossil fuel use with alternatives						
		60	Generate clean electricity onsite using solar photovoltaics	c		m	s
		61	Generate clean electricity onsite using wind turbines	c		m	s
		62	Use solar hot-water systems for domestic use and swimming pools	c		m	s
		63	Use solar hot-water systems for space heating	c		m	s
	64	Pre-plumb for a solar hot-water system	c		m	s	
INTERIOR MATERIALS	Goal: Create healthy indoor environments						
	✓	65	Use low- or no-VOC, formaldehyde-free paints, stains, and adhesives	c	t	m	s
	✓	66	Use low- or no-VOC carpets, furniture, particleboard, and cabinetry	c	t	m	s
	✓	67	Use exposed concrete as a finished floor	c	t	m	s
		68	Use natural materials such as wool and sisal for carpets and wallcoverings	c	t	m	s
	✓	69	Use sustainable materials for flooring, trim, and interior surfaces	c	t	m	s
	Goal: Support the market for recycled materials						
	✓	70	Use recycled-content floor tile, carpets and pads, cabinets, and countertops	c	t	m	s
Goal: Support sustainable forests							
	71	Use reclaimed / salvaged, sustainably harvested (FSC certified), or engineered wood for flooring and trim, or use wood alternatives such as bamboo and cork	c	t	m	s	
OTHER GREEN ALTERNATIVES	Goal: Use creativity and innovation to build more sustainable environments						
		72	Use insulated concrete forms	c		m	s
		73	Use structural insulated panels to replace wood-framed walls	c	t	m	s
		74	Use natural building materials and techniques	c		m	s
		75	Other sustainable methods or materials used. <i>Please describe:</i>	c	t	m	s

KEY:
 c Commercial/Industrial
 t Tenant Improvement
 m Multi-family housing
 s Single-family home

Applicant Signature: _____

PRIMARY RECORD

Primary # _____

HRI # _____

Trinomial _____

NRHP Status Code _____

Other Listings _____

Review Code _____

Reviewer _____

Date _____

Page 1 of 3

*Resource Name or #: (Assigned by recorder) A. A. Pudsey House

P1. Other Identifier: _____

*P2. Location: ☐ Not for Publication ☒ Unrestricted

*a. County San Mateo

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad _____ Date _____ T _____ R _____ 1/4 of _____ 1/4 of Sec _____; _____ B.M.

c. Address 217 Mastick Avenue City San Bruno Zip 94066

d. UTM: (Give more than one for large and/or linear resources) Zone _____ mE/ _____ mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

San Mateo County Assessor's Parcel #020-381-140

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

See Continuation Sheet.

*P3b. Resource Attributes: (List attributes and codes) (HP-2) Single Family Residence

*P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (isolates, etc.)

P5



P5b. Description of Photo: (View, date, accession #) Looking West
East facing facade & side elev. 10/10/00 #

*P6. Date Constructed/Age and

Sources: ☒ Historic

☐ Prehistoric ☐ Both

1909 San Mateo County
Assessor's Record

*P7. Owner and Address:

Verle & Nancy Truman

217 Mastick Ave.

San Bruno, CA 94066

*P8. Recorded by: (Name,

affiliation, and address) Kent Se

Preservation Consultant

310 Lighthouse Ave.

Pacific Grove, CA 93950

*P9. Date Recorded: 11/15/00

*P10. Survey Type: (Describe)

San Bruno Redevelopment

Area Historic Resources

Inventory (intensive)

*P11. Report Citation: (Cite survey report and other sources, or enter "none.") "none"

*Attachments: NONE ☐ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building, Structure, and Object Rec
☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Rec
☐ Artifact Record ☐ Photograph Record ☐ Other (List) _____

Exhibit D

*Required Informa:

BUILDING, STRUCTURE, AND OBJECT RECORD

Page 2 of 3

*NRHP Status Code 5S1

*Resource Name or # (Assigned by recorder) A. A. Pudsey House

B1. Historic Name: A. A. Pudsey House

B2. Common Name: _____

B3. Original Use: Residential B4. Present Use: Residential

*B5. Architectural Style: Colonial Revival: Dutch Gambrel

*B6. Construction History: (Construction date, alterations, and date of alterations)

Constructed in 1909.

*B7. Moved? ☒ No ☐ Yes ☐ Unknown Date: _____ Original Location: _____

*B8. Related Features:

B9a. Architect: _____

b. Builder: Unknown

*B10. Significance: Theme Residential Development

Area San Bruno

Period of Significance 1903-1930

Property Type Single Family Res.

Applicable Criteria C

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

See Continuation Sheet.

B11. Additional Resource Attributes: (List attributes and codes) (HP-2) Single Family Residence

*B12. References:

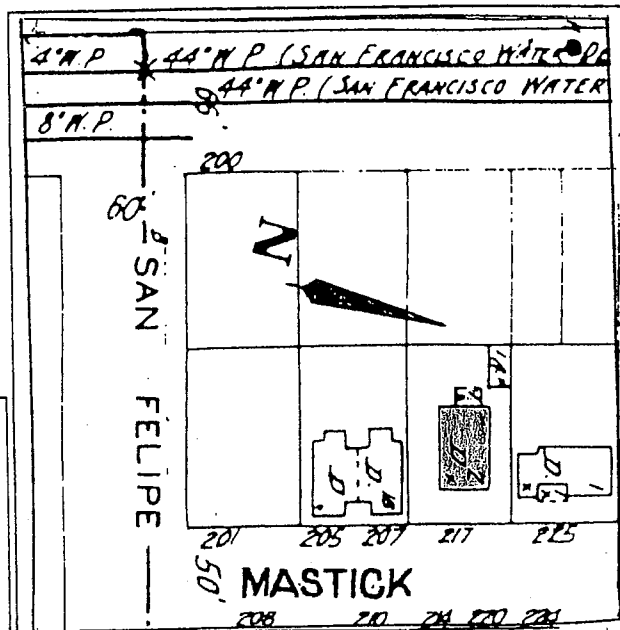
See Continuation Sheet.

B13. Remarks:

*B14. Evaluator: Kent Seavey

*Date of Evaluation: 2/10/01

(This space reserved for official comments.)



CONTINUATION SHEET

Page 3 of 3

*Resource Name or # (Assigned by recorder) A. A. Pudsey House

*Date 2/10/01

☒ Continuation

☐ Update

Recorded by Kent L. Seavey

P3a. Description:

A two story wood-framed Colonial Revival Style residence, constructed in 1909, rectangular in plan, resting on a concrete foundation. The exterior wall cladding is a narrow clapboard wood siding. The Dutch gambrel roof is cross-gabled, with hipped roof wall dormers appearing midway along the roof plane. It is covered in a composition shingle. Angled bays on the ground floor, and the cut-away front porch are all recessed within the building envelope. The cut-away porch, at the SE corner of the house, is supported by three closely spaced Corinthian columns. The open porch rail has fancy turned posts with ball caps, and balusters. Fenestration is irregular, with a combination of awning type 6 light wood windows, and single and paired double-hung wood sash, most with smaller, diamond paned leaded glass lights above. The house appears little changed from its date of construction. It sits back on its hill top lot behind a grassed lawn, with low shrubbery around the building perimeter.

Character defining features:

Narrow clapboard exterior wall cladding, Dutch gambrel roof form, classical Corinthian columns, wood-turned porch rail, diamond paned leaded glass windows. Bays and porch recessed into the building envelope.

B10. Significance:

217 Mastick Ave. is significant under Criterion C, for architecture as the best example of the gambrel-roofed variant of the Colonial Revival Style of architecture in San Bruno. The term Colonial Revival refers to the entire rebirth of interest in the early English and Dutch houses of the Atlantic seaboard. The movement started with the Philadelphia Centennial Exposition in 1876, where examples of early American residential housing were exhibited in an attempt to give impetus to architectural design deriving from purely American sources. but of course the root sources of colonial American architecture were English Georgian and Adam, and Dutch colonial forms.

This front gabled one-and-one-half story example constructed in 1909 by or for San Bruno electrician A. A. Pudsey, appears to be unaltered, except perhaps for its composition shingle roof, which would have originally been redwood or cedar shingle. Popular elements of the Colonial Revival decorative vocabulary are apparent on the Pudsey House. The upper lights of the single and paired double-hung wood sash windows have smaller, leaded glass diamond panes. The cut-away front porch is supported by a grouping of three turned wood columns with ornate Corinthian capitals, and a turned wood rail and balusters. The Colonial revival Style of architecture was almost as popular in San Bruno in the first decade of the twentieth century as the Craftsman form. There are several good examples remaining, however. The A. A. Pudsey House appears unaltered from its period of construction in 1909, and should be listed on the National Register at the local level of significance.

B12. References:

Fredericks, Darold, *San Bruno People and Places*, San Bruno Historic Association, 1989.

Shoecraft, Don, *The History of San Bruno: The Crossroads Community*, City of San Bruno, 1989.

Sanborn Insurance Maps, San Bruno, 1913, 1925, 1949.

San Bruno Building Records, on file San Bruno City Hall.



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Laura Russell, *Assistant Planner*
Pamela Thompson, *City Attorney*

PLANNING COMMISSION

Rick Biasotti, *Chair*
Bob Marshall, Jr., *Vice-Chair*
Kevin Chase
Mary Lou Johnson
Perry Petersen
Joe Sammut
Sujendra Mishra

**PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E2
April 17, 2007**

PROJECT LOCATION

1. Address: 2811 Crestmoor Drive
2. Assessor's Parcel No: 019-113-060
3. Zoning District: R-1 (Single Family Residential District)
4. General Plan Classification: Low Density Residential

EXHIBITS

- A: Site Location
- B: Site Plan, Floor Plans, and Elevations
- C: San Mateo Countywide Sustainable Buildings Checklist

REQUEST

Request for a Use Permit to allow the construction of an addition which increases the gross floor area by greater than 50% (58%) and proposes a floor area ratio that exceeds the .55 guideline (.552) per Sections 12.200.030.B.1 and 12.200.030.B.2 of the San Bruno Zoning Ordinance. Robert S. George (Applicant), Ana and Andrew Kimoto (Owners) **UP-07-008**

RECOMMENDATION

Staff recommends that the Planning Commission **approve** Use Permit 07-008 based on the Findings of Fact (1-6), subject to Conditions of Approval (1-17).

REVIEWING AGENCIES

Community Development Department
Public Works Department
Fire Department

LEGAL NOTICE

1. Notices of public hearing mailed to owners of property within 300 feet on April 6, 2007.

ENVIRONMENTAL ASSESSMENT

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15303(A): New Construction of a Single Family Residence/Conversion of a Structure.



EXISTING CONDITIONS

The subject property is located on the east side of Crestmoor Drive, near the corner of El Dorado Court and Crestmoor Drive. This is a rectangular-shaped lot with a total size of 5,600 square feet. The lot is 56'-0" wide and 100'-0" deep. The property is currently developed with a ranch style, three bedroom and two bathroom, 1,501 square foot single-story residence with an attached two-car garage. The existing home has 5'-0" side yard setbacks on both the north and south sides of the home. This home was built in 1956 and is located in the Crestmoor Park No. 3 subdivision, which is made up of mid 20th century single-family

residences. Adjacent to the subject property are other single-family structures.

SURROUNDING LAND USES

North: Princeton Drive - R-1 Zone, single-family residential

South: Yorkshire Court/ Rosewood Drive - R-1 Zone, single-family residential

East: Open Space – O Zone, open space and conservation

West: Glenview Drive - R-4 Zone, high density residential

PROJECT INFORMATION

The proposed project is for a first level expansion and remodel and the addition of a new second story. Specifically, the project would add 244 s.f. to the first floor to expand the master bedroom and add a new master bath, remove one of the existing bathrooms and convert into storage, and extend the front office and convert into a bedroom.

The new second floor would add 861 s.f. to create a full bathroom, family room, play room and office with storage area. A portion of the second floor would be open to the first level, above the existing kitchen. As part of the second story addition, the existing roof lines will be slightly elevated as well.

As part of this proposal, an existing two-car garage would remain unchanged.

If approved and constructed, this would be a 3 bedroom and 3 bathroom home. Project details are shown in the following table:

SITE CONDITIONS		ZONING REQUIREMENTS	EXISTING CONDITIONS	PROPOSED CONDITIONS
Land Use		R-1	R-1	Same
Lot Area		5,000 s.f.	5,600 s.f. (5,432 adj)*	Same
Lot Coverage		2,390 s.f. (44%)	1,896 s.f. (35%)	2,200 s.f. (41%)
Gross Floor Area		2,988 s.f.	1,896 s.f.	3,001 s.f.
Floor Area Ratio		.55	.35	.552
Building Setbacks	Front	15'-0"	40'-0" to home 20'-6" to garage	25'-0" to home Same to garage
	Rear	10'-0"	20'-9"	11'-7"
	R Side	5'-0"	5'-0"	Same
	L Side	5'-0"	5'-0"	Same
Building Height		28'-0"	14'-0"	25'-6"
Covered Parking		2 spaces	2 spaces	2 spaces

(*) Notes:

- Adjusted Lot size is 5,432 s.f. (adj. Factor of .97)
- Expansion of greater than 50% - 58% increase
- Proposed FAR is .552 > .55 guideline
- Proposed total living area 2,606 s.f. < 2,800 s.f. three car guideline

Square Footage Breakdown:

	Ground floor	Second Floor	Garage	Total
Existing	1,501	-	395	1,896
Proposed	244	861	-	1,105
Total	1,745	861	395	3,001

Proposed 3,001 s.f. home; 2,606 s.f. Living area and a 395 s.f. two-car garage

ARCHITECTURAL REVIEW COMMITTEE

The Architectural Review Committee (ARC) reviewed the project at its March 15, 2007 meeting and forwarded the project to the Planning Commission with a favorable recommendation and the following comments:

- Architect to work with Staff to develop a more compatible design from the street level.
- Submit renderings to better reflect the actual design.
- Submit colored elevation of the front.
- Consider improvements to the front entry portion of the home.

Commissioners Chase, Biasotti and Johnson were present for this item.

Since the Architectural Review Committee hearing, the applicant has made the suggested revisions which have improved the project. Most importantly, the new second story front elevation has been broken up with a cross-gable and utilizes stucco and lap siding to match the lower floor's existing siding material. Likewise, the first level design will include lap siding for the lower half of the home, matching the new second story. Although staff feels a second story window on the front projection would complement this revision, the overall façade appearance is much more compatible with the existing home and siding materials. Per the Committee's other comment regarding an improved entryway, the applicant has extended the lap siding to the entry way and reduced the size of the existing windows to better frame the home's front door.

ANALYSIS AND RECOMMENDATION

The applicant is proposing an addition of 1,105 s.f. to the home. The project would increase the existing gross floor area by 58% with the addition on the first and second levels and exceed the .55 floor area ratio guideline (.552). Any project which proposes a greater than 50% expansion in gross floor area or exceeds the .55 floor area ratio guideline requires a use permit.

*Pursuant to the City's Zoning Code, the Commission shall grant the Use Permit if it makes the following findings (required findings are in **bold** followed by staff's analysis of the merits of the project and how the findings can be made):*

- 1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.**

With the condition that the applicant obtain a building permit prior to construction, the addition will be constructed according to the Uniform Building Code (UBC) and therefore will not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood. The first and second floor addition would be set back 5'-0" from both the north and south side yard property lines and 11'-7" to the rear property line, complying with the setback requirements to provide for fire safety construction and egress requirements.

- 2. The proposed development will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.**

The applicant is proposing a two-story addition to a single story home in the Crestmoor Park No. 3 Subdivision. The expansion would use building materials comparable to those structures found in the immediate area, namely stucco finish and 6' cement lap siding for the lower level addition and new second story, wood trim board and sills for all new windows and composition shingle roofing. The home's overall height would increase to 25'-6" but would meet building heights as designated by the zoning ordinance requirement of less than 28'-0". The roof for the second story proposes a 4:12 slope and the lower level roofline would be built up to a 1:12 slope.

The proposal, with alterations to the existing home as suggested by the Architectural Review Committee, should then complement the current neighborhood design, both in scale, with its architectural features and by its general conformance to a majority of regulations as set forth in the Zoning Ordinance.

Therefore, with the recommended revisions, staff determines that the addition will not be detrimental to improvements in the neighborhood or to the general welfare of the City.

3. The proposed development will be consistent with the general plan.

The San Bruno General Plan designates the property as a low-density residential district. The proposed single family dwelling is thus consistent with the residential general plan designation.

Goal 3 of the City's 1984 General Plan states "encourage public and private development which is aesthetically sensitive to the surrounding environment and is of the highest quality design and construction." Staff finds that the architecture of the addition will balance the style of the existing homes in the nearby area and the project will use similar finish materials.

General Plan Residential Policy 1 states "protect the residential character of existing residential neighborhoods." The proposed two-story ranch style home, with new windows, stucco and cement lap finish, trim board, revised roof lines and composition shingle roofing, will be complementary to other single family homes in the area.

4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.

With this proposal and the 5'-0" side yard setback from the north and south property lines for the addition, the structure should not unreasonably restrict or interfere with light and air on the adjacent properties. Concerning height, the home would be below the 28'-0" maximum, proposing a 25'-6" height. Surrounding the subject property are other mid 20th century homes that are similar in height. Staff finds that this second story addition should not restrict or interfere with the light and air of adjacent properties given the roof design proposes a cross gable and a 4:12 slope for the second story and has no significant overhangs that would cause any undue or excessive shadowing of nearby properties. Additionally, the adjacent properties have standard side yard setbacks and to the rear of the property is open space.

As a proposed addition, the structure is similar to the massing (height, location of addition) of other homes in the area and complements of the design of the home and the surrounding area.

5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.

Architecturally, the applicant has proposed a new second story that will utilize lap siding and stucco finish materials similar to the existing home, will add a cross gable roof with bump out to offset any associated bulk of the addition and redesign the entry way to emphasize the symmetry of the rest of the home. The new roofing material will be a composition shingle and light in color, as a way to minimize heat absorption

and promote energy efficiency. Although staff finds that a window at the new second level bump out elevation would add some architectural interest, the applicant has stated that their goal is to reduce radiant heating on that west elevation.

Ultimately, the expanded residence will be an improvement not only to the subject property, but also to the established neighborhood, which is comprised of contemporary, ranch and craftsman style single family homes. The on-street parking in the area should not be negatively impacted, which would otherwise diminish the desirability of the adjacent properties and overall neighborhood since an existing two-car garage and driveway will remain.

6. The proposed expansion complies with applicable off-street parking standards of the zoning ordinance.

The project proposes that a two-car garage for the expanded home remain, attached at the front of the property. With a condition requiring the garage always be available to park two cars and the fact that a 20'-6" long driveway exists which can accommodate two additional vehicles, all off-street parking standards will be met with this proposal.

PUBLIC COMMENTS

1. Douglas Devolder; 120 Kent Court. Concerned about height of proposed addition (25'-6") and the impact on his view. Asked that an existing 20+ yr old tree on the subject property be thinned to improve his view. Staff expressed that this is not normally recommended and would not be supported at the staff level.

RECOMMENDATION

Based on the above analysis and Findings of Fact 1-6 below, Staff recommends approval of Use Permit 07-008 subject to conditions 1-17 below.

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood and off-street parking requirements will be met, thereby eliminating any negative impacts to on-street parking availability.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other properties in the neighborhood, will not hinder or discourage

the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.

5. That the general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition has been well designed with appropriate finished materials.
6. The proposed expansion complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.

CONDITIONS OF APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-008 shall not be valid for any purpose. Use Permit 07-008 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on April 17, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

8. All front yard fencing within the required 15'-0" setback shall be no higher than 3'-0". S.B.M.C. 12.84.150.
9. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

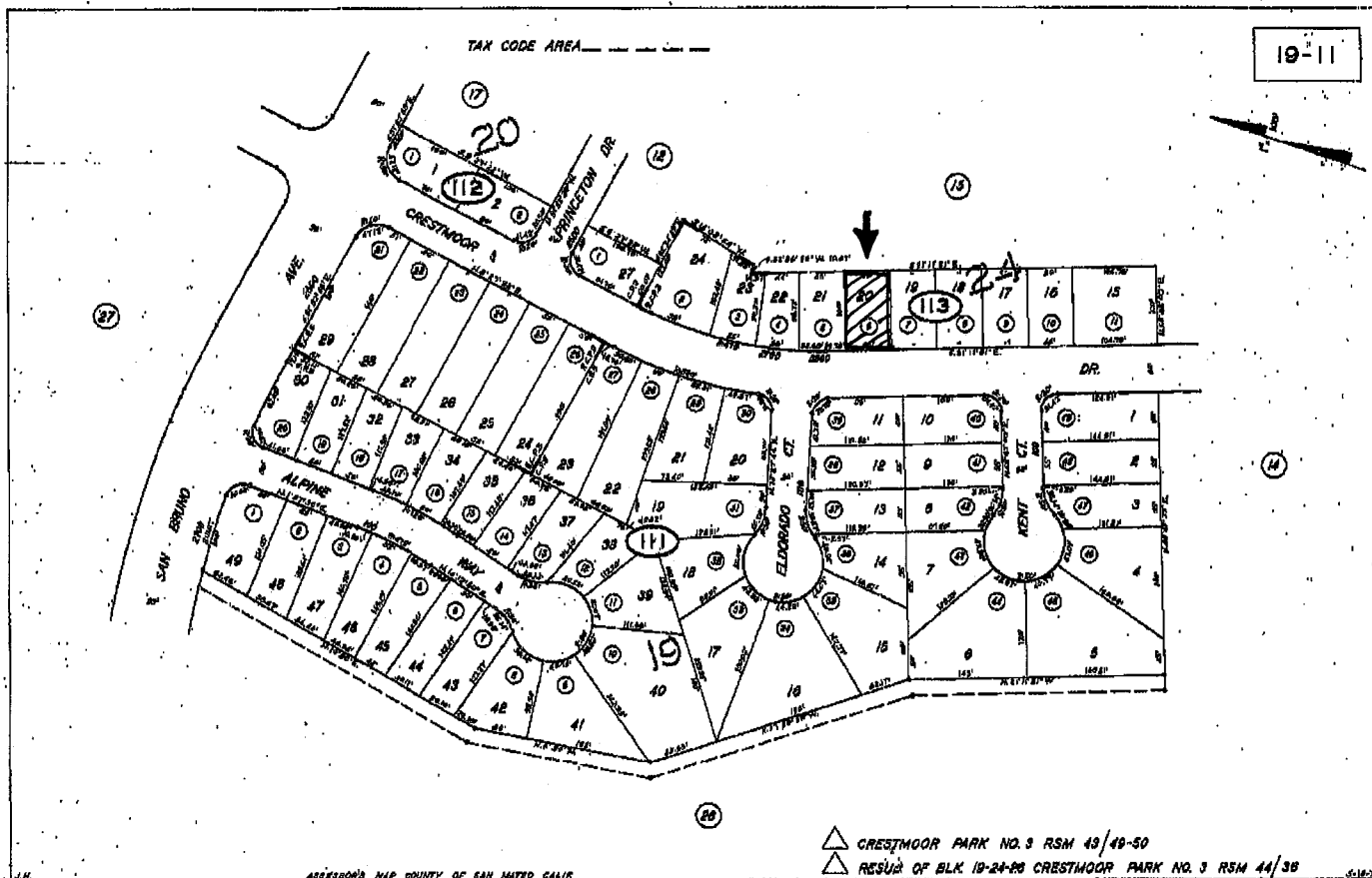
Department of Public Works – (650) 616-7065

10. Encroachment Permit from Engineering Department required prior to work in the public right-of-way. S.B.M.C. 8.16.010
11. Remove and replace all sidewalk at front of property for all locations where there are any raised or offset concrete sections greater than 3/4-inch. S.B.M.C. 8.12.010.
12. Storm water from new and existing roof down-spouts shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1.
13. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule. S.B.M.C. 8.24.060

Fire Department – (650) 616-7096

14. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
15. Provide hardwired smoke detectors with battery backup to all new bedrooms and hallways.
16. Provide spark arrestor if chimney is present.
17. The project must comply with all future Fire Department conditions, as required during the plan check review by the Building and Safety Department.

Submitted on 04/02/07 by:
Tony Rozzi
Assistant Planner



2811 Crestmoor Drive
019-113-060
UP 07-008

Exhibit A – Site Location

SHEET NOTES

PROJECT ANALYSIS

2811 Cypress Drive
Rt. 1
C19-113-000
5,600 sq. ft.
6,432 sq. ft.

owner: Design:
assessor's Parcel Number:
of Acres:
adjusted Lot Area: $0.97 \times 5,600 =$

Setback and Yard Requirements

	Setback	Actual Setback
Front Setback:	10 ft.	18.5 ft.
Driveway	20 ft.	22 ft.
Rear Yard:	10 ft.	22 ft.
Side Yard:	10 ft.	11.5 ft.

Building Data	
Existing	
Residence:	1,602 sq'
Lower Floor:	600 sq'
Second Floor:	1,002 sq'
Total Building	
Garage	394 sq'
Total Gross Floor area:	1,996 sq'

Area Reallocation:	
None	
Addition	
Residence, Lower Floor:	244 gsf
Residence, Second Floor:	863 gsf
Garage:	0.54 gsf
Total:	1,127 gsf
Maximum area increase without Use Permit 1,808 gsf \times 50% = 904 gsf \times 1,127 gsf <div style="text-align: right;"> \rightarrow LP required </div>	

Planned Gross Floor Area:
1,804 sq ft (B) + 1,127 sq ft (A) = 3,226 sq ft

Floor Area Ratio:
Permitted FAR: 45%
Planned FAR: 3,025 / 5,432 = 55.7%
Excess FAR: 2.7%
→ UP required

Lot Coverage:

Minimum Coverage: 44%
 Planned: 1,608 / 1,543 sq ft = 30%
 Planned: 243 / 1,543 sq ft = 41%
 UP not required

Off-Street Parking Requirements
 Planned sq ft less garage: 3,025-399=2,626 sq ft
 Parking spaces required: 2
 Planned spaces provided: (1) 2-car garage
 UP not required

Alterations and Addition to the Residence of

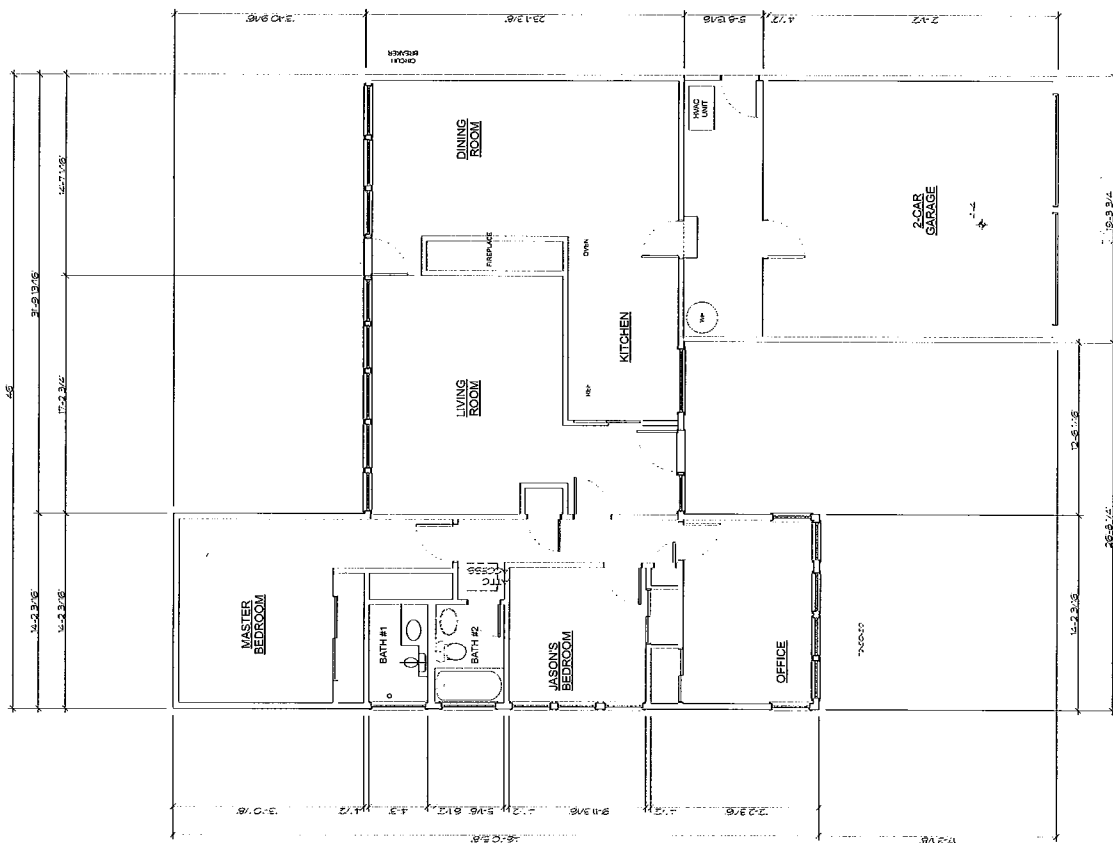
**Ana and
Andrew Kimoto**

2011 Crestwood Drive,
San Bruno CA 94066

REVISIONS	DATE
6	
5	
4	
3	
2	
1	

PROJECT PHASE	PRELIMINARY DESIGN
TEST TITLE	EXISTING SITE & FLOOR PLANS

RECEIVED
DATE: 29 JAN 2007
A-1 of 8
SHEET NUMBER



EXISTING GROUND FLOOR PLAN

ACCOUNT: 1,895 962

EXISTING SITE PLAN

5. $\frac{1}{2} \log \frac{1}{2}$

THE PROPERTY LINE INFORMATION ON THIS SITE PLAN WAS TAKEN FROM
 SASSORS PLACE. MAP 09-13-08D ON FILE AT THE CITY OF SAN
 ROUNO THIS SITE PLAN DOES NOT CONSTITUTE A BOUNDARY SURVEY.

CRESTMoor DRIVE

Exhibit B – Site, Floor & Elevator Plans

Robert S. George, M.A.
Architect
79 South Street, Suite C-2
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rsg@rsgarchitect.com

SHEET NOTES

Alterations and Addition to
the Residence of
**Ana and
Andrew Kimoto**
2811 Crestmoor Drive,
San Bruno CA 94066

1. These drawings and the related information are prepared by the architect for the project described herein. They are not to be used for any other project without the written consent of the architect.
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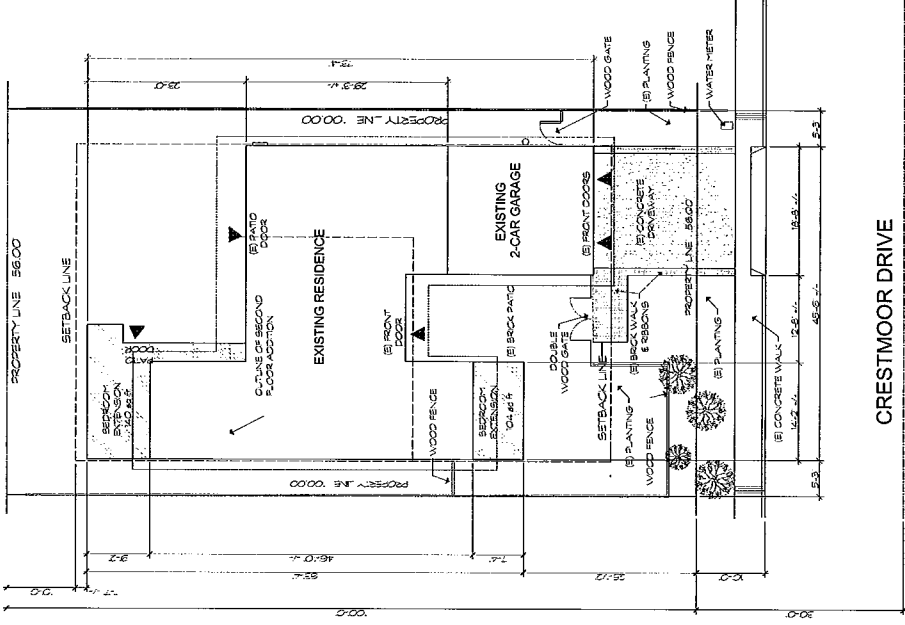
REVISION	DATE
1	1/25/07
2	1/25/07
3	1/25/07
4	1/25/07
5	1/25/07

PROJECT PHASE
PRELIMINARY DESIGN

SHEET TITLE
SITE PLAN

DATE ASSIGNED
25 JAN 2007
DATE 25 JAN 2007

SHEET NUMBER
A-2 of 3



SITE PLAN



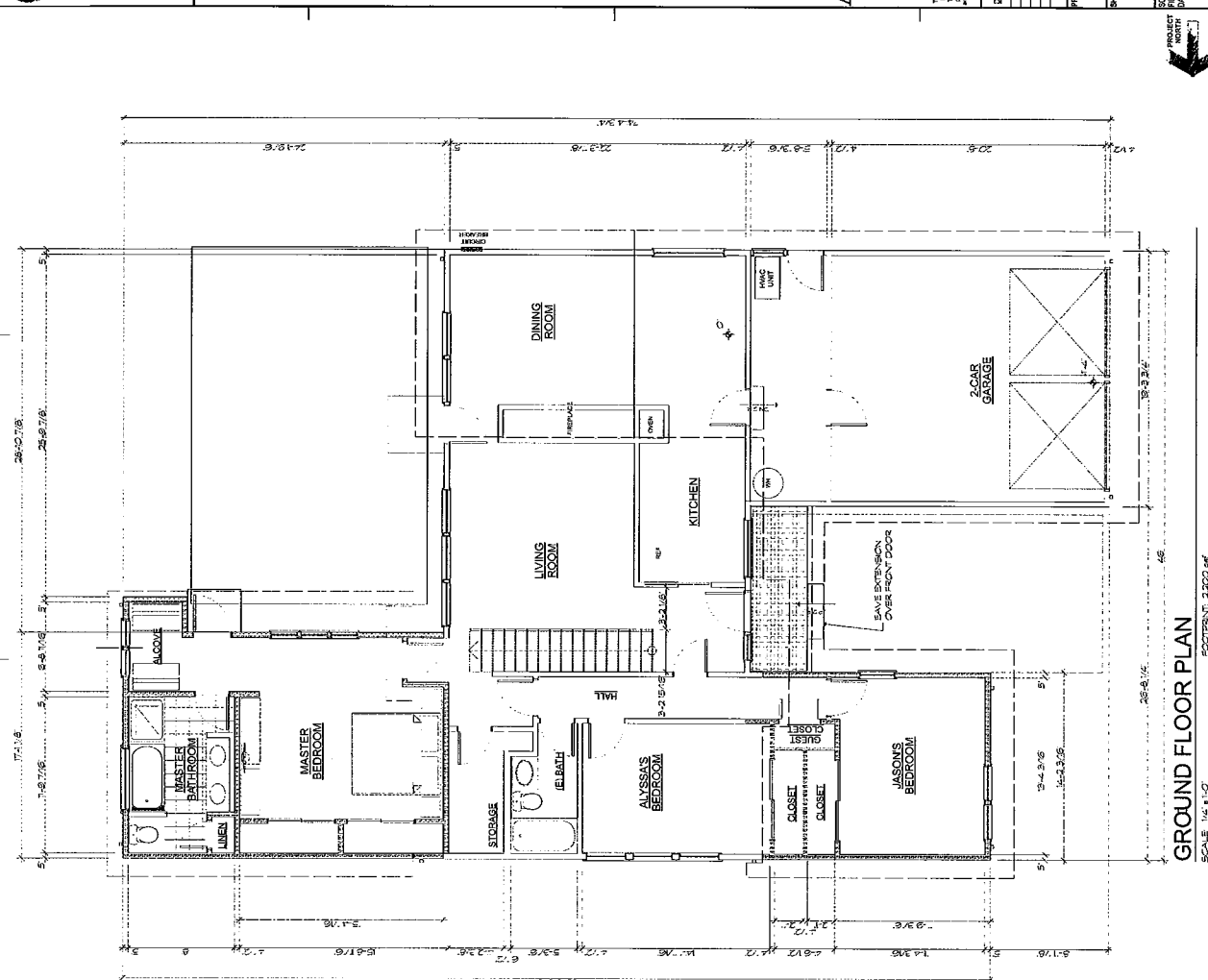
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DESCRIPTION	REVISIONS	DATE
6		
5		
4		
3		
2		
1	ASBOW REVIEW COMMENTS	3 APR 2007

PROJECT PHASE	PRELIMINARY DESIGN
SHEET TITLE	GROUND FLOOR PLAN

SCALE: AS NOTED
FILE: 0605.0
DATE: 29 JAN 2007

A-3-⁶ (S)



GROUND FLOOR PLAN

SCALE: 1/4" = 1'-0" FOOTPRINT: 2,200 sq'

SCALE 1/4" = 1'-0"

Robert S. George, P.E.
 Architect
 30 South Street, Suite 200
 San Francisco, CA 94104
 (415) 774-1100
 rsg@rsgdesign.com
 rsgdesign.com



SHEET NOTES

Alterations and Addition to
 the Residence of
**Ana and
 Andrew Kimoto**
 2811 Crestmoor Drive,
 San Bruno, CA 94066

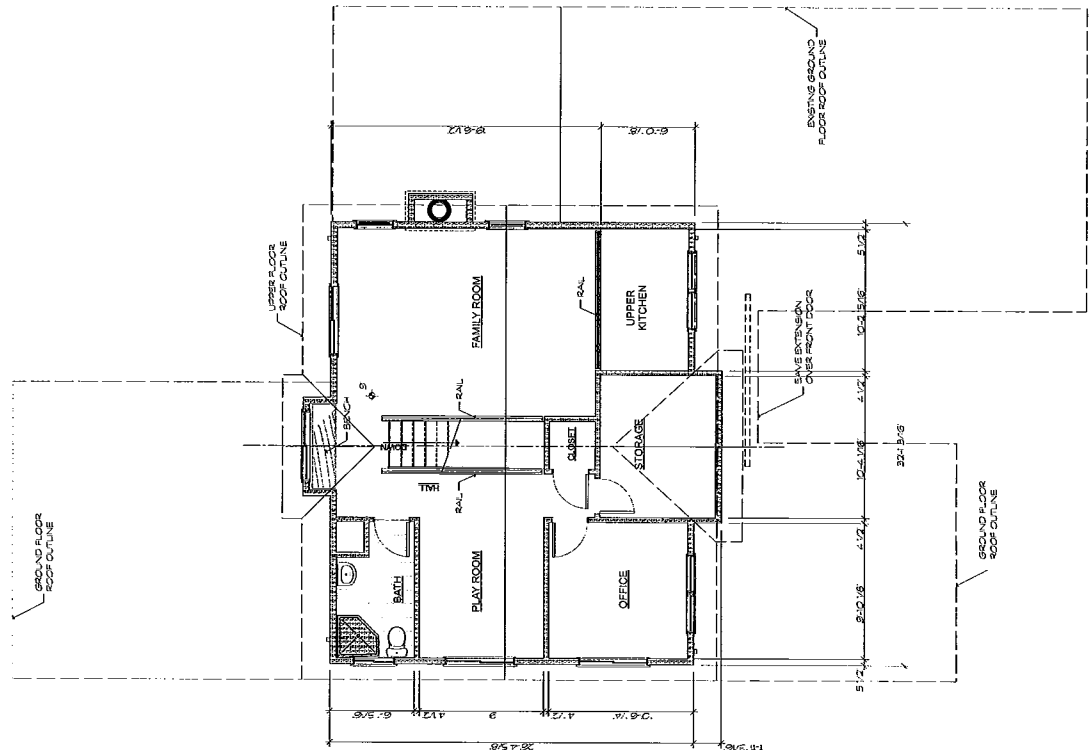
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REVISION	DATE
1. PRELIMINARY DESIGN	3 JAN 2007
2. REVISED DESIGN	3 JAN 2007
3. REVISED DESIGN	3 JAN 2007
4. REVISED DESIGN	3 JAN 2007

PROJECT NAME
PRELIMINARY DESIGN
 SHEET TITLE

SECOND FLOOR PLAN
 SCALE: AS NOTED
 FILE: 020210
 DATE: 25 JAN 2007

SHEET NUMBER
A-4 OF **6**



SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"
 GROSS FLOOR AREA: 683.41 sq. ft.

Robert S. Grogan, RMA
 Architect
 90 South Spruce Avenue, Suite C-2
 South San Francisco, CA 94080
 Tel: 650.872.3350
 rsg@rsgarchitect.com

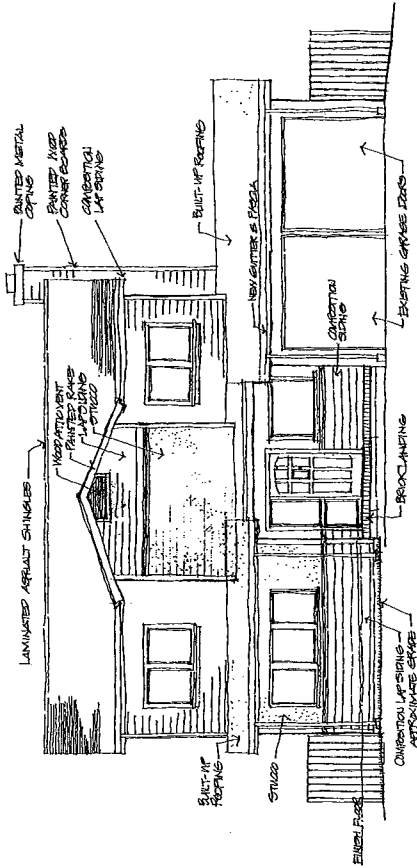
SHEET NOTES

Alterations and Addition to
 the Residence of
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 San Bruno CA 94066

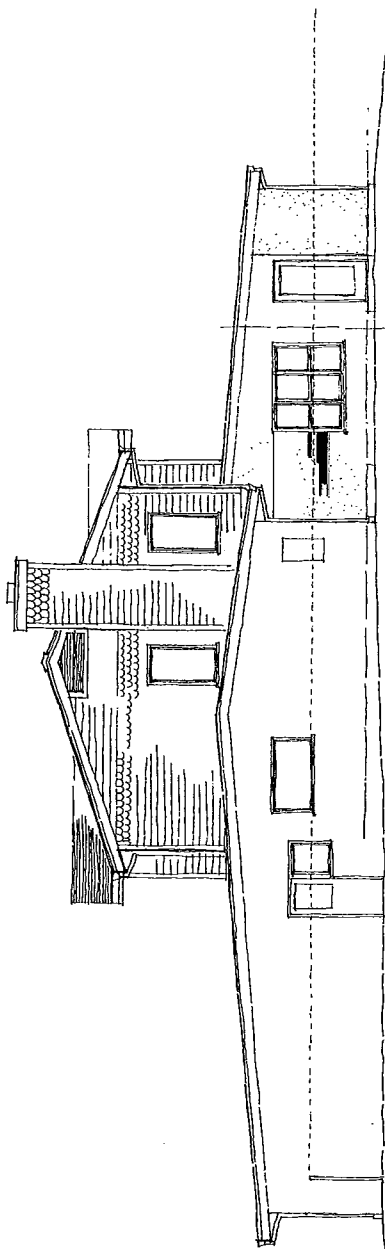
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DESCRIPTION	DATE
1. INITIAL DESIGN	1/10/07
2. REVISED DESIGN	1/10/07
3. PRELIMINARY DESIGN	1/10/07
4. PRELIMINARY DESIGN	1/10/07
5. PRELIMINARY DESIGN	1/10/07
6. PRELIMINARY DESIGN	1/10/07
7. PRELIMINARY DESIGN	1/10/07
8. PRELIMINARY DESIGN	1/10/07
9. PRELIMINARY DESIGN	1/10/07
10. PRELIMINARY DESIGN	1/10/07

SCALE: 1/4" = 1'-0"
 FILE: 0503.0
 DATE: 29 JAN 2007
 SHEET NUMBER: **A-6** of 6



WEST ELEVATION



SOUTH ELEVATION

Robert S. George, PMA
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181 South Street, Suite 202
San Francisco, CA 94108
Tel: 415.774.2200
Fax: 415.774.2201
rsg@rsgarchitect.com

Signature
SHEET NOTES

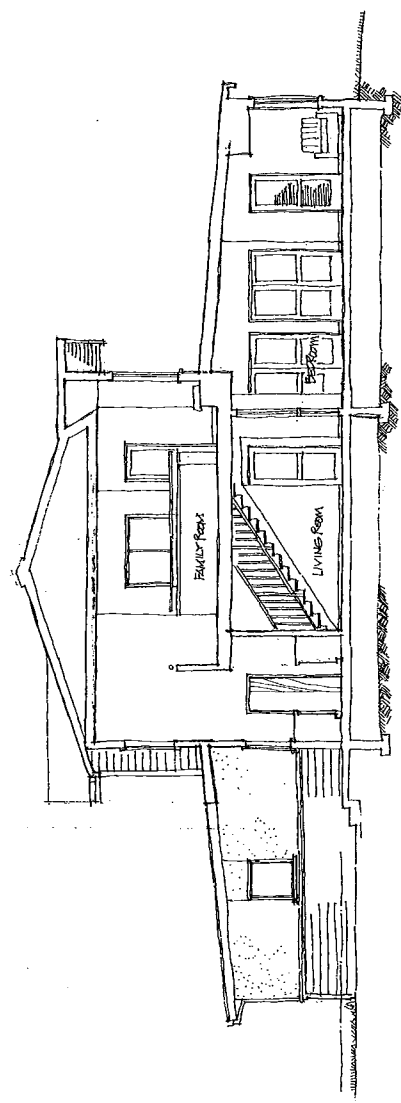
Alterations and Addition to
the Residence of
**Ana and
Andrew Kimoto**
2811 Crestmoor Drive,
San BrunoCA 94066

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These drawings and the related building permit have been prepared
by the architect and the related building permit has been issued
by the local authority having jurisdiction. The architect and the
related building permit have been issued by the local authority
having jurisdiction. The architect and the related building permit
have been issued by the local authority having jurisdiction.

DESCRIPTION	DATE
1. PRELIMINARY DESIGN	3 JAN 2007
2. PRELIMINARY DESIGN	3 JAN 2007
3. PRELIMINARY DESIGN	3 JAN 2007
4. PRELIMINARY DESIGN	3 JAN 2007
5. PRELIMINARY DESIGN	3 JAN 2007
6. PRELIMINARY DESIGN	3 JAN 2007
7. PRELIMINARY DESIGN	3 JAN 2007
8. PRELIMINARY DESIGN	3 JAN 2007
9. PRELIMINARY DESIGN	3 JAN 2007
10. PRELIMINARY DESIGN	3 JAN 2007

SECTION
SCALE 1/8" = 1'-0"
DATE 25 JAN 2007

SHEET NUMBER **A-8** of **6**



C EAST-WEST SECTION

	No.	Item	Applicable Building Types			
COMMUNITY PLANNING	Goal: Create a more sustainable community					
	1	Build mixed-use developments and provide public amenities such as open space	c	m		
	2	Cluster development to minimize paving and utilities, and to preserve open space	c	m		
	3	Reuse a brownfield or previously occupied site	c	m		
	4	Design for easy pedestrian, bicycle, and transit access	c	t	m	
SITE & LANDSCAPE	Goal: Respect your site					
	5	Design and landscape to create comfortable micro-climates and reduce heat island effects	c	m	s	
	6	Optimize building orientation for heat gain, shading, daylighting, and natural ventilation	c	m	s	
	7	Reduce building footprint - smaller is better	c	m	s	
	8	Limit site impacts, balance cut and fill, preserve existing vegetation and protect soil during construction	c	m	s	
	9	Use native plants that are drought-resistant, create habitat for indigenous species, and do not require pesticides for maintenance	c	m	s	
	10	Use recycled rubble for backfill drain rock	c	m	s	
	Goal: Save water and reduce local water impacts					
	11	Maximize onsite stormwater management through landscaping and permeable pavement	c	m	s	
	12	Use rainwater harvesting	c	m	s	
WASTE REDUCTION & MANAGEMENT	13	Use water-conserving landscape technologies such as drip irrigation, moisture sensors, and watering zones	c	m	s	
	Goal: Reduce, reuse, recycle					
	✓ 14	Reuse a building (renovate) instead of tearing down and rebuilding	c	t	m	s
	✓ 15	Deconstruct old buildings for materials reuse (salvage)	c	t	m	s
	✓ 16	Recycle construction & demolition waste	c	t	m	s
CONCRETE	✓ 17	Design for durability and eventual reuse	c	t	m	s
	✓ 18	Provide adequate space for storing and handling recyclables	c	t	m	s
	Goal: Make concrete with sustainable materials					
	✓ 19	Use flyash in concrete	c	t	m	s
	✓ 20	Use recycled aggregate in non-structural concrete	c	t	m	s
WOOD FRAMING	✓ 21	Use prefabricated forms or save and reuse wood form boards	c	t	m	s
	Goal: Design to save wood and labor					
	✓ 22	Use spacings, sizes, and modular dimensions that minimize lumber use and optimize performance	c	t	m	s
	✓ 23	Use engineered lumber or metal stud framing to replace solid-sawn lumber	c	t	m	s
	Goal: Support sustainable forests					
EXTERIOR TREATMENTS, SIDING & ROOFING	✓ 24	Use sustainably harvested lumber (FSC certified) for wood framing	c	t	m	s
	✓ 25	Use reclaimed or salvaged lumber	c	t	m	s
	Goal: Make a sustainable roof					
	✓ 26	Use durable roofing materials	c	m	s	
	✓ 27	Use a cool roof	c	m		
WINDOWS & DOORS	✓ 28	Use a green or living roof	c	m	s	
	Goal: Support healthy environments and sustainable forests					
	✓ 29	Use sustainable siding materials	c	m	s	
	✓ 30	Use sustainable decking materials	c	m	s	
	Goal: Save energy through passive design					
PLUMBING	✓ 31	Provide shading on east, west and south windows with overhangs, awnings, or deciduous trees	c	m	s	
	✓ 32	Plan windows and skylights, light shelves, and window treatments to provide daylight that improves indoor environments	c	t	m	s
	✓ 33	Choose window sizes, frame materials, and glass coatings to optimize energy performance	c	m	s	
	✓ 34	Stop air leakage at doors and windows	c	m	s	
	Goal: Save water and energy in plumbing systems					
PLUMBING	✓ 35	Use water-conserving plumbing fixtures	c	t	m	s
	✓ 36	Use water-saving appliances and equipment	c	t	m	s
	✓ 37	Insulate hot and cold water pipes	c	t	m	s
	✓ 38	Use heat recovery equipment, tankless water heaters and/or on-demand hot water circulation pumps	c	t	m	s
	✓ 39	Pre-plumb for future graywater use for toilet flushing and landscape irrigation	c	m	s	
Goal: Reduce environmental impacts from materials production						
✓ 40	Use sustainable materials for pipes	c	t	m	s	



Checklist

NAME: _____

SITE ADDRESS: _____

PERMIT NUMBER: _____

Permit applicants are required to complete and return this checklist as part of the permit and planning process. Place a check mark next to each sustainable building practice planned for your project. For assistance, contact your city or call the RecycleWorks hotline at 1-888-442-2666.

c Commercial/
Industrial
t Tenant
Improvement
m Multi-family
housing
s Single-family
home

Exhibit C



checklist

Permit applicants are required to complete and return this checklist as part of the permit and planning process. Place a check mark next to each sustainable building practice planned for your project. For assistance, contact your city or call the RecycleWorks hotline at 1-888-442-2666.

	✓ No.	Item	Applicable Building Types			
ELECTRICAL	Goal: Save energy in lighting					
	41	Design lighting levels for actual use, and use task lighting to reduce general lighting levels	c	t	m	s
	✓ 42	Use energy-efficient lamps and lighting fixtures	c	t	m	s
	✓ 43	Use lighting controls that save energy such as occupancy sensors	c	t	m	s
	Goal: Save energy in equipment use					
	44	Use ENERGY STAR® appliances	c	t	m	s
	45	Use a building energy management system	c	t	m	
HEATING & COOLING	Goal: Save energy through passive design					
	46	Use passive solar design, thermal mass, and insulation to reduce space heating needs	c		m	s
	47	Replace air conditioning with natural ventilation and passive cooling	c		m	s
	48	Use ceiling fans for comfort cooling, and use a whole-building fan for night-time cooling	c	t	m	s
	49	Upgrade wall, floor, and ceiling insulation to exceed minimum State requirements	c		m	s
	Goal: Save energy in equipment use					
	50	Use high-efficiency equipment including furnaces, boilers, fans, and pumps	c		m	s
	51	Use heat recovery equipment	c		m	s
	52	Use geothermal systems, cogeneration, or other alternatives for heating and cooling	c		m	
	✓ 53	Place ductwork within conditioned space, seal joints properly, and clean before occupancy	c	t	m	s
	54	Zone mechanical systems for more efficient heating and cooling	c	t		
	55	Use radiant and hydronic systems for increased efficiency, health, and comfort	c	t	m	s
56	Use equipment without ozone-depleting refrigerants		t	m		
RENEWABLE POWER & SOLAR ENERGY	Goal: Create healthy indoor environments					
	✓ 57	Use recycled-content, formaldehyde-free fiberglass insulation, cellulose insulation, or other green insulation products	c	t	m	s
	58	Separate ventilation for indoor pollutant sources and provide advanced filtration to improve indoor air quality	c	t	m	s
	✓ 59	Use clean and efficient alternatives to wood-burning fireplaces			m	s
	Goal: Replace fossil fuel use with alternatives					
	60	Generate clean electricity onsite using solar photovoltaics	c		m	s
	61	Generate clean electricity onsite using wind turbines	c		m	s
	62	Use solar hot-water systems for domestic use and swimming pools	c		m	s
	63	Use solar hot-water systems for space heating	c		m	s
	64	Pre-plumb for a solar hot-water system	c		m	s
INTERIOR MATERIALS	Goal: Create healthy indoor environments					
	✓ 65	Use low- or no-VOC, formaldehyde-free paints, stains, and adhesives	c	t	m	s
	✓ 66	Use low- or no-VOC carpets, furniture, particleboard, and cabinetry	c	t	m	s
	67	Use exposed concrete as a finished floor	c	t	m	s
	68	Use natural materials such as wool and sisal for carpets and wallcoverings	c	t	m	s
	69	Use sustainable materials for flooring, trim, and interior surfaces	c	t	m	s
	Goal: Support the market for recycled materials					
	70	Use recycled-content floor tile, carpets and pads, cabinets, and countertops	c	t	m	s
	Goal: Support sustainable forests					
✓ 71	Use reclaimed / salvaged, sustainably harvested (FSC certified), or engineered wood for flooring and trim, or use wood alternatives such as bamboo and cork	c	t	m	s	
OTHER GREEN ALTERNATIVES	Goal: Use creativity and innovation to build more sustainable environments					
	72	Use insulated concrete forms	c		m	s
	73	Use structural insulated panels to replace wood-framed walls	c	t	m	s
	74	Use natural building materials and techniques	c		m	s
	75	Other sustainable methods or materials used. <i>Please describe:</i>	c	t	m	s

c Commercial/
Industrial
t Tenant
Improvement
m Multi-family
housing
s Single-family
home

Applicant Signature: _____



567 El Camino Real
San Bruno, CA 94066
Voice: (650) 616-7074
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Mary Lou Johnson
Perry Petersen
Joe Sammut
Sujendra Mishra

**PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E3
April 17, 2007**

PROJECT LOCATION

1. Address: 1161 San Mateo Avenue
2. Assessor's Parcel No: 014-265-240
3. Zoning District: M-1 (Industrial District)
4. General Plan Classification: Industrial

EXHIBITS

- A: Site Location
B: Site Plan, Floor Plans, and Elevations
C: Applicant's Statement of Intent

REQUEST

Request for a Use Permit to allow motorcycle sales in conjunction with an existing repair facility per Section 12.96.110.C.8 of the San Bruno Zoning Ordinance. Leon D'Aquino (Applicant); Richard Bertoldi (Owner) **UP-07-005**

RECOMMENDATION

Staff recommends that the Planning Commission **approve** Use Permit 07-013 based on the Findings of Fact (1-4), subject to Conditions of Approval (1-14).

REVIEWING AGENCIES

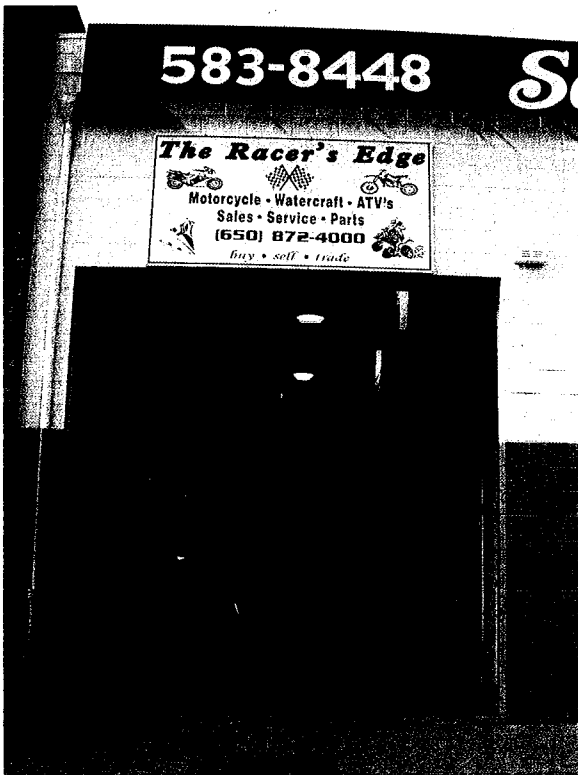
Community Development Department
Public Works Department
Fire Department

LEGAL NOTICE

1. Notices of public hearing mailed to owners of property within 300 feet on April 6, 2007.

ENVIRONMENTAL ASSESSMENT

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Existing Facilities



EXISTING CONDITIONS

The subject property is located along the Industrial District of San Mateo Avenue, at the north end of the 1100 block. This is a rectangular-shaped facility, partitioned off from the larger structure addressed as 1173 San Mateo Avenue and operates as a motorcycle repair business. The building was originally opened in 2006 and approved to repair automobiles, motorcycles, all-terrain vehicles and some watercraft. Since that time, the predominant business has been with motorcycle repairs. The adjacent properties are licensed and operate as automobile repair businesses. The subject address has an approximate total lot size of 2,000 s.f. and is developed with a 1,564 s.f. concrete block building with a 21'-0" deep driveway at the front of the property.

SURROUNDING LAND USES

North: Atlantic Avenue - M-1 Zone, Industrial
South: Interstate Route 380 - U Zone, Unclassified
East: S.S.F. City Limit - Similar Industrial
West: Montgomery Avenue - M-1 Zone, Industrial

PROJECT DESCRIPTION

The applicant has proposed motorcycle sales in conjunction with an existing repair facility at the subject property. As shown in the above photos and site plan (Exhibit B), the main display area will be entirely within the envelope of the building. The lower area is used for all repair work and the second floor provides space for an administrative office and employee lounge/storage area. A single half bathroom is located on the first floor to the front of the building. Per staff's discussion with the applicant, the main focus of the business has been motorcycle repair and this proposal would potentially supplant the repair work.

PROJECT ANALYSIS

The sale of motor vehicles in conjunction with a repair facility is a conditionally approved use in the M-1 Industrial District.

*Pursuant to the City's Zoning Code, the Commission shall grant the Use Permit if it makes the following findings (required findings are in **bold** followed by staff's analysis of the merits of the project and how the findings can be made):*

- 1. The proposed new use will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.**

Currently, the property has operated a motor vehicle repair facility and has no code enforcement cases on record. The proposed motorcycle sales would be an additional offering of this business and staff does not anticipate a substantial change in business activity. All performance standards common to the existing repair facility, which include hours of operation, graffiti abatement and on-site parking/repair provisions, will be applied to this application. As such, there should be no negative impact proposed to the health safety or general welfare of the neighborhood with this project.

- 2. The proposed new use will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.**

The surrounding area is comprised of industrial uses consistent with the zoning ordinance and includes other motor vehicle repair facilities, warehouses and light fabrication industries. The proposal for motorcycle sales in conjunction with the repair business would be a slightly less common use in the area however.

The proposed use would utilize the lower work area of the building. Upon site inspection, staff found that the shop is well maintained, clean, orderly and as discussed with the applicant, almost too small to use for vehicle repair. As such, staff (with guidance from the Police and Fire Departments regarding existing traffic congestion on San Mateo Avenue) is recommending that contingent upon approval of the sale of motorcycles, no automobile sales or repair be allowed on site given the already inadequate parking supply of the building for automobile repair. In this case, because the applicant works with motorcycles, the show room area inside the building is adequate for inventory storage and the front driveway provides two full parking spaces for motor vehicles. These spaces will be available for customers at all times.

By approving this application, the Planning Commission has the ability (and discretion) to place certain conditions on the property that will enhance the operation of the business and ensure compliance with all municipal code provisions for a business in the Industrial District. Given previous code violations in the area, approval of this application will benefit the neighborhood and City since it will set explicit performance standards for the life of the subject property.

Therefore, staff determines that with the included conditions of approval governing sales and repair work, hours of operation and parking, the proposed use will not be detrimental to improvements in the neighborhood or to the general welfare of the City.

3. The proposed new use will be consistent with the general plan.

The San Bruno General Plan designates the property as an industrial district. The proposed business is thus consistent with the industrial general plan designation as provided for by M-1 District conditional uses in the zoning ordinance.

General Plan Commercial Policy 1 states "encourage income generating development that is economically beneficial to the City and fulfills community as well as regional needs". Considering environmental and economic factors of Bay Area transit, the presence of a motorcycle dealership in the City provides for community and regional interests.

General Plan Commercial Policy 2 states "Assure compatibility with the surrounding scale, character, and intensity of land uses". As discussed in Finding 2, the proposed use would be similar in scale to the operation and traffic patterns of other nearby businesses along the Industrial corridor and should not have an adverse affect on the commercial neighborhood.

4. The proposed new use complies with applicable off-street parking standards of the zoning ordinance.

The existing business operates as a motor vehicle, all-terrain vehicle and motorcycle repair facility. This application proposes to add machinery sales, specifically motorcycle sales, to the business. The parking requirement for all of these uses is the same, requiring one (1) space for each 250 s.f. of office space or garage floor area. Therefore, the request for an additional use does not intensify the parking requirement. Although the site does not provide the required spaces per today's adopted zoning ordinance, the building has the required parking grandfathered into the site. As a benefit, the building has a 20'-0" by 21'-0" deep driveway that can provide two full parking spaces for automobiles without interfering with pedestrian or vehicular traffic along the arterial avenue.

In this manner, the proposed new use complies with the applicable off-street parking standards of the zoning ordinance.

PUBLIC COMMENTS

None were submitted prior to the Public Hearing.

RECOMMENDATION

Based on the above analysis and Findings of Fact 1-4 below, Staff recommends approval of Use Permit 07-013 subject to conditions 1-14 below.

FINDINGS OF FACT

1. The proposed new use will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since the property will be subject to all performance standards of

the municipal code governing a motorcycle repair facility.

2. The proposed new use will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the new use is consistent with the types of businesses located in the area.
3. The proposed development will be consistent with the general plan, since the proposed new use meets the general plan designation of industrial/commercial for the subject property.
4. The proposed expansion of use complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.

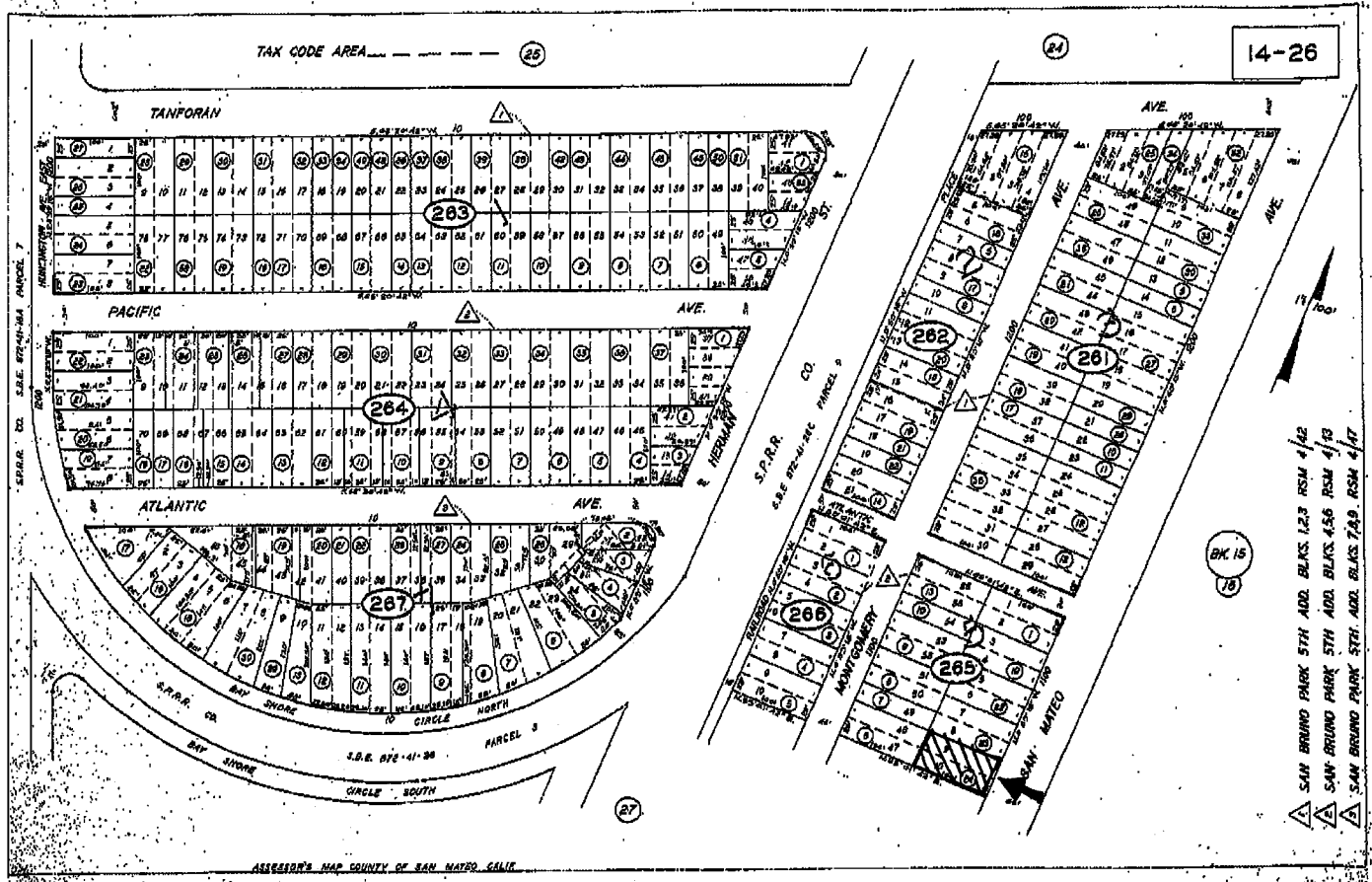
CONDITIONS OF APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-013 shall not be valid for any purpose. Use Permit 07-013 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in any Building Division submittal for improvements related to motorcycle repair.
3. The request for a Use Permit to sell motorcycles in conjunction with a repair facility shall be operated and located according to plans approved by the Planning Commission on April 17, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. Prior to operation, all pertinent conditions of approval and any required improvements shall be completed to the satisfaction of the City of San Bruno.
5. All trash and trash containers shall be stored within appropriate designated trash areas. Sufficient trash container capacity shall be provided to ensure that all trash and debris from the building can be stored within the trash container area and with completely closed lids.
6. The property owner shall comply with the requirements of the San Bruno Recycling Ordinance.
7. The operation of any equipment or performance of any activity related to this business shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
8. The business may operate from 7:00 A.M. until 7:00 P.M., Monday through Sunday. Any alteration to this schedule will require written approval by the Community Development Director.

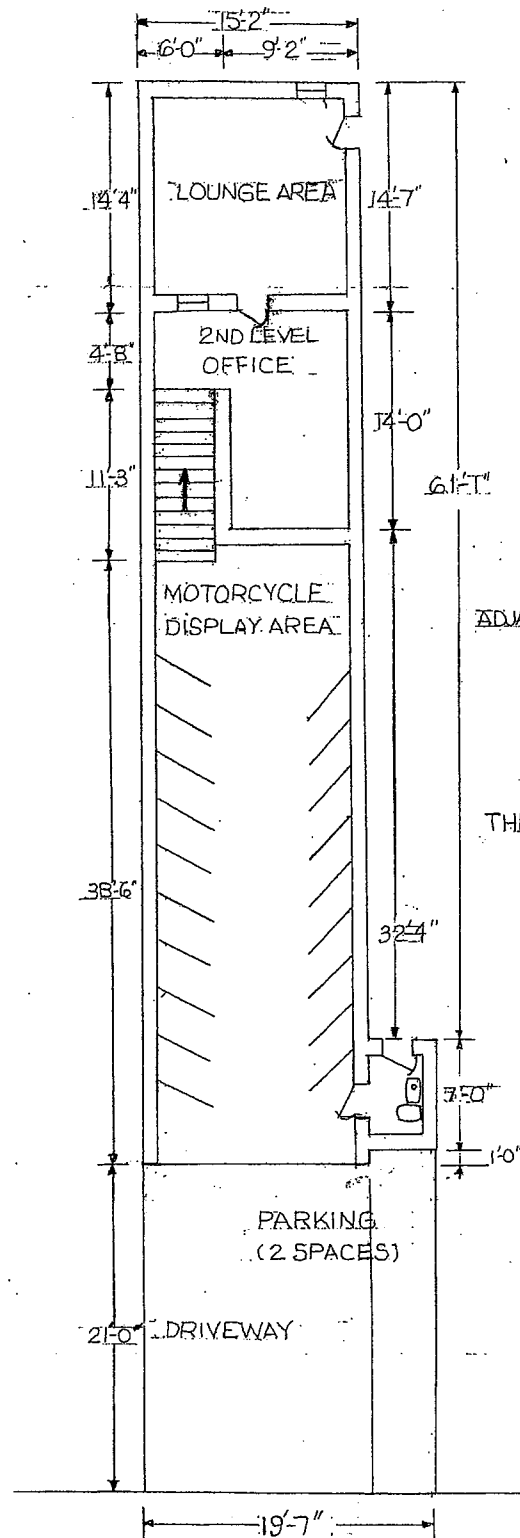
9. Approval of Use Permit 07-013 grants the right to sell motorcycle vehicles and related equipment only. No sales or repair/body work of automobiles is allowed on the subject property.
10. The building shall be used for the storage and repair of motorcycles. No assessment of motorcycles, repair/ body work of motorcycles or transactions with customers may occur outside of the building or on the street. All business operation shall be located entirely on the subject property.
11. No parking of repair motorcycles is allowed on the street at any time.
12. The existing two (2) spaces in the driveway shall be available at all times for customer parking.
13. The applicant or property owner will clean graffiti on the property and/or paint over it within 24 hours of its appearance, using a matching paint color. This condition also gives the City of San Bruno consent to have the graffiti painted out for the applicant. If the graffiti is not removed within 24 hours, the City's graffiti removal vendor will be instructed to remove the graffiti and provide a detailed accounting of the cost to the property owner, who will be responsible for reimbursing the City for the graffiti removal.
14. Failure to conform to these conditions or the San Bruno Municipal Code will subject the business operation to revocation at the discretion of the Community Development Director, Police Chief or Fire Chief.

Submitted on 03/30/07 by:
Tony Rozzi
Assistant Planner



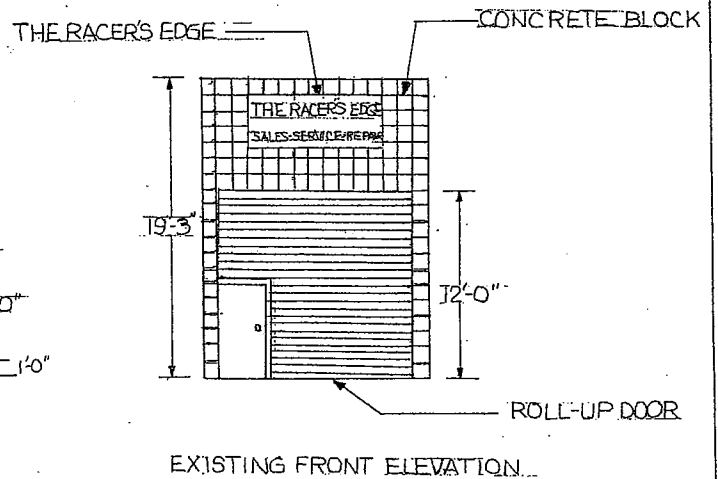
1161 San Mateo Avenue
014-265-240
UP 07-013

Exhibit A – Site Location



1161 SAN MATEO AVENUE
 ZONING: "C" COMMERCIAL
 EXISTING USE: MOTORCYCLE & ATV REPAIR SHOP
 PROPOSED USE: MOTORCYCLE SALES & REPAIR
 EXISTING LOT COVERAGE: 1564 S.F.
 LOT AREA: 2000 S.F.
 EXISTING ON-SITE PARKING: 2 SPACES

ADJACENT BUILDING



SAN MATEO AVENUE
 NORTH
 EXISTING SITE & BUILDING PLAN

Exhibit B – Site, Floor & Elevation Plans

DRAWING BY: LEON H. D'AQUINO
 DATE: FEBRUARY 14, 2007

EXISTING SITE & BUILDING PLAN - 1161 SAN BRUNO AVENUE, UNIT A
 SCALE: 1/8
 SAN BRUNO, CA 94066
 APPLICANT: LEON H. D'AQUINO 650-740-0564

The Racer's Edge, LLC
1161 San Mateo Avenue, Unit A
San Bruno, CA 94066
(650) 872-4000

February 3, 2006

Planning Department, City of San Bruno
567 El Camino Real
San Bruno, CA 94066

Re: Statement of Intent

To Planning Department, City of San Bruno:

The Racer's Edge, LLC was founded in January 2006 as a repair facility for automobiles, motorcycles, all-terrain vehicles and watercraft products. This business was opened to offer the general public professional service at a fair and reasonable price. Hours of operation are Monday through Friday 9am-5pm and will be extended in the summer months.

I have over twenty-five years experience as a journeyman mechanic, a Service Writer and a Service Manager in both of these industries that prompted me to create the Racer's Edge, LLC.

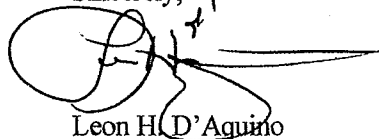
Presently going into my second year of business and having established a solid clientele, I am now ready to expand the Racer's Edge business to incorporate the selling of used motorcycles, taking motorcycles trade-ins and consigning them for customers. Incorporating motorcycle sales will be beneficial to existing customers and will attract new customers to aid in the continued growth of my business. Also, with the rising gas prices and increasing traffic in the Bay Area, there is a much greater desire for the use and sale of used motorcycles.

Currently, I am a one-man operation and am working diligently towards becoming a "Dealer/Broker" in the eyes of the Department of Motor Vehicles. As the Racer's Edge business continues to grow into sales, I anticipate creating jobs in the near future in the City of San Bruno.

I have recently completed the DMV Dealer prerequisite mandatory training and passed the DMV Dealers Exam. The final step to obtain my Dealers license from DMV is to have the Planning Department of San Bruno, sign the "Property Use Verification For Vehicle Dealer's License". And with your blessing, will allow me to move forward on the expansion of the Racer's Edge business.

My application and application fees are attached for your review. Should you have any questions, please call me Monday through Friday between the hours of 9am to 5pm at (650) 872-4000. I look forward to hearing from you soon.

Sincerely,



Leon H. D'Aquino

Exhibit C



567 El Camino Real
San Bruno, CA 94066
Voice: (650) 616-7074
Fax: (650) 873-6749
<http://www.ci.sanbruno.ca.us>

STAFF

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Sujendra Mishra

**PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E4
April 17, 2007**

PROJECT LOCATION

1. Address: 540 Poplar
2. Assessor's Parcel No: 020-255-300
3. Zoning District: R-1 (Single Family Residential)
4. General Plan Classification: Low Density Residential

EXHIBITS

- A: Site Location
B: Site Plan and Floor Plan provided by applicant
C: Daycare Description
D: Public Comment Letters

REQUEST

Request for a Use Permit to allow a large family day care operation in a single-family residential zone; per Section 12.84.200 & 12.96.060.C.6 of the San Bruno Zoning Ordinance. Joseph & Lynne Pisani (Applicant/Owner) **UP-07-009**

RECOMMENDATION

Staff recommends that the Planning Commission **approve** Use Permit 07-009 based on Findings of Fact (1-5) and Conditions of Approval (1-17).

REVIEWING AGENCIES

Community Development Department
Fire Department

AREA DESCRIPTION

North: Decima Allen Elementary School, R-1 Zone – Single family residences
South: Jenevein Ave, R-1 Zone – Single family residences
East: Elm Ave, R-1 Zone - Single-family residences
West: Linden Ave, R-1 Zone - Single-family residences

LEGAL NOTICE

1. Notices of public hearing mailed to owners of property within 300 feet on April 6, 2007.

ENVIRONMENTAL ASSESSMENT

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor Alteration to Existing Facilities.

EXISTING CONDITIONS

The subject property is located on Poplar Avenue, between Jenevein and Decima Allen Elementary School. This section of Poplar Avenue ends at the school, and there is not a bulb out to allow for u-turns. (Please see Exhibit A, Site Location) The lot is 5,000 s.f. and is rectangular in shape. The home has 5 bedrooms, 3 baths, and a 1-car garage (available for parking) all totaling approximately 2,450 s.f. The applicant has been operating a small daycare facility at this location for over 2 years.

There is a closed Code Enforcement Case from 2005 on record for the subject residence. At that time, the applicants had an inoperable vehicle in the driveway. The case was closed July 26, 2005 and the Code Enforcement Division reported that the applicants complied with the abatement process.

PROJECT DESCRIPTION & ANALYSIS

The applicant proposes to enlarge the existing family daycare facility at 540 Poplar Avenue to care for up to 14 children. A use permit is required for a large family daycare facility (more than eight children) in a residential zone, as well as approval by the State of California. The applicant is seeking the expansion to accommodate her existing clients that are expecting children.

The applicant cares for small children, ages newborn to four years old. All of the children attend on a part-time basis. Under the Small Daycare designation, there are typically six (6) children in attendance at any one time. If the large daycare is approved, the applicant will have the ability to care for up to 14 children, but she expects to accommodate approximately eight (8) children at a time.

The current hours of operation are Monday through Friday from 7:00 A.M. to 6:00 P.M. Daycare activities are conducted in the first floor of the home, and a portion of the backyard. Per the applicant, there is one outdoor play period from 4:00 P.M. to 4:30 P.M. A small fence divides garden areas from the play area. The neighboring homes are in close proximity to the play area; however, the applicant reports that she has not received any complaints about noise.

Pursuant to the San Bruno Municipal Code, the Commission shall grant the use permit if it makes the following findings (required findings are in bold followed by staff's findings):

1. **The proposed facility meets the locational standards of subsection B:**

a. **Location within a residential district:**

The subject property is located within the R-1 (Single Family Residential) District, therefore this finding can be made.

b. **The proposed facility will not result in undue negative impacts upon the neighborhood vicinity. Factors to be considered shall include traffic, parking, noise and the spacing and concentration of similar facilities within the vicinity of the proposed facility. The Planning Commission may impose reasonable conditions in order to mitigate potential**

undue negative impacts.

The proposed use will not significantly increase negative impacts with the conditions set forth in this staff report.

As described by the applicant and confirmed during the site visit, the subject property is able to accommodate two cars in the driveway (tandem) and the one car in the garage. Parking is a significant issue in the area around the subject site because most of the homes have one-car garages and the street is narrow. The applicant has provided a reminder note to parents that advises them to use the space provided in front of the home or the driveway. Staff finds that this approach does not adequately address the parking issues in the area. To mitigate the traffic issues, a Condition of Approval has been added to require that parents and guardians park in the driveway while picking up and dropping off their children. Only if the driveway is taken should they park on the street, and only directly in front of 540 Poplar. Parents and guardians shall comply with all traffic laws, and not use the neighbors' driveways to turn around. This will ensure that the use does not significantly impact on-street parking, or traffic, and will also ensure the children's safety by not requiring the children to walk on the street to be picked up and dropped off.

To minimize any noise impacts, a Condition of Approval has been added that the applicant directs the parents and guardians not to use their horn while picking up and dropping off the children. Additionally, a Condition of Approval has been added that all outdoor activities by the children be supervised to control noise. With these conditions, the proposed use will not generate more noise than that typical of a residential use.

There is one other large family daycare facility in the immediate vicinity, located at 1255 Jenevein Avenue. This does not constitute an over concentration of daycare facilities and will not have an adverse impact on the neighborhood.

- 2. The operator of the facility will provide an area on the lot for parking or stopping of vehicles to allow children to be picked up or dropped off within thirty (30) minutes before and after the hours of the day when day care will be provided.**

Staff verified during the site visit that the applicant is able to park one car in the garage and two in the driveway, all tandem. The applicant plans to park one vehicle in the garage, and one in the driveway closest to the garage, leaving one space where the parents and guardians are required to park while picking up and dropping off the children. There are currently no employees that live outside of the home, so the driveway space can be kept clear.

- 3. The proposed facility complies with applicable off-street parking standards of the zoning ordinance.**

The subject property contains an attached one-car garage and driveway. The house has approximately 2,450 s.f. of living space, which would trigger the requirement for two (2) covered, off-street spaces under the current guidelines. However, a significant addition was done to the house, with permits, in 1976. At that time, a second parking space was not required. Therefore, the parking is legal non-conforming. Since the applicant is not proposing any addition to the

existing facility, the subject property conforms to the parking standards of the zoning ordinance and this finding can be made.

4. The proposed facility complies with applicable building and fire code provisions, and with the applicable building standards adopted by the State Fire Marshal.

Fire Department staff granted conditional approval pending final inspection with the Condition of Approval that applicant install a manual pull station with a horn and strobe.

PUBLIC COMMENTS

Staff mailed a courtesy notice to all adjacent properties on March 21, 2007, and a 300' notification was mailed out on April 6, 2007. Staff has received three comment letters as of this report. (See Exhibit D.) One letter is in support of the proposed Large Daycare, and two (2) express concerns about the application. Specifically, two neighbors are concerned about the impact on traffic and parking on the neighbors. Staff has taken these concerns into consideration in the analysis and Conditions of Approval. Additionally, one neighbor expressed concerns about inoperable vehicles parked at the site and the household members working on vehicles. City records indicate that a code enforcement case related to inoperable vehicles was closed in 2005. To address this concern, a Condition of Approval has been added that reiterates the Municipal Code related to inoperable vehicles and vehicle repair in residential areas.

RECOMMENDATION

After speaking with the applicant and conducting a site visit, staff feels comfortable with conditions of the current daycare center. Staff finds that with the Conditions of Approval, the proposed use of the structure as a large day care facility will not have a significant impact on the surrounding neighborhood, and will be a safe place for children.

Based on the above analysis and Findings of Fact 1-5 below, Staff recommends approval of Use Permit 07-009 subject to conditions 1-17 below.

FINDINGS FOR APPROVAL

1. The use permit to operate a large family day care home is for the house located at 540 Poplar Avenue, which is located in a residential district.
2. The use permit to operate a large family day care home at the house at 540 Poplar Avenue will not, with the Conditions of Approval, result in undue negative impacts upon the neighborhood vicinity in terms of traffic, parking, and noise.
3. The operator of the facility will provide a one-car driveway on the lot for parking or stopping of vehicles to allow children to be picked up or dropped off within thirty (30) minutes before and after the hours of the day when day care will be provided.

4. The existing home complies with applicable off-street parking standards of the zoning code since the subject property contains a legally non-conforming one-car garage.
5. Based on a site inspection by the Fire Department staff, with the conditions of approval, the existing home complies with applicable building and fire code provisions.

CONDITIONS FOR APPROVAL

Community Development Department - (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-009 shall not be valid for any purpose.
2. Applicant must obtain a business license through the Finance Department.
3. The request for a use permit for a large family day care home at 540 Poplar Avenue shall operate according to plans approved by the Planning Commission on April 17, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. Parents and guardians dropping off and picking up children from the home shall be directed to not honk their car horn.
5. Parents and guardians dropping off and picking up children from the home must park on the driveway when picking up and dropping off their children. Only in the event the driveway is not available, the parents shall use the parking area directly in front of the home. Parents and guardians shall obey all traffic laws and not use neighbors' driveways to turn around.
6. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
7. Children shall be supervised at all times when outdoors to control noise levels. Violation of the Noise Ordinance could result in this application being called back up to the Planning Commission for revocation.
8. The applicant shall obtain a license from the State of California to operate a large family day care center.
9. The number of children shall be limited to a maximum of fourteen (14) at any one time, including any of the applicant's own children.
10. Applicant shall park their personal vehicle(s) in the garage and driveway space closest to the garage within thirty (30) minutes before and after daycare hours. The driveway space closest to the street must be left open for drop off and pick up of children. If, in the future, non-resident

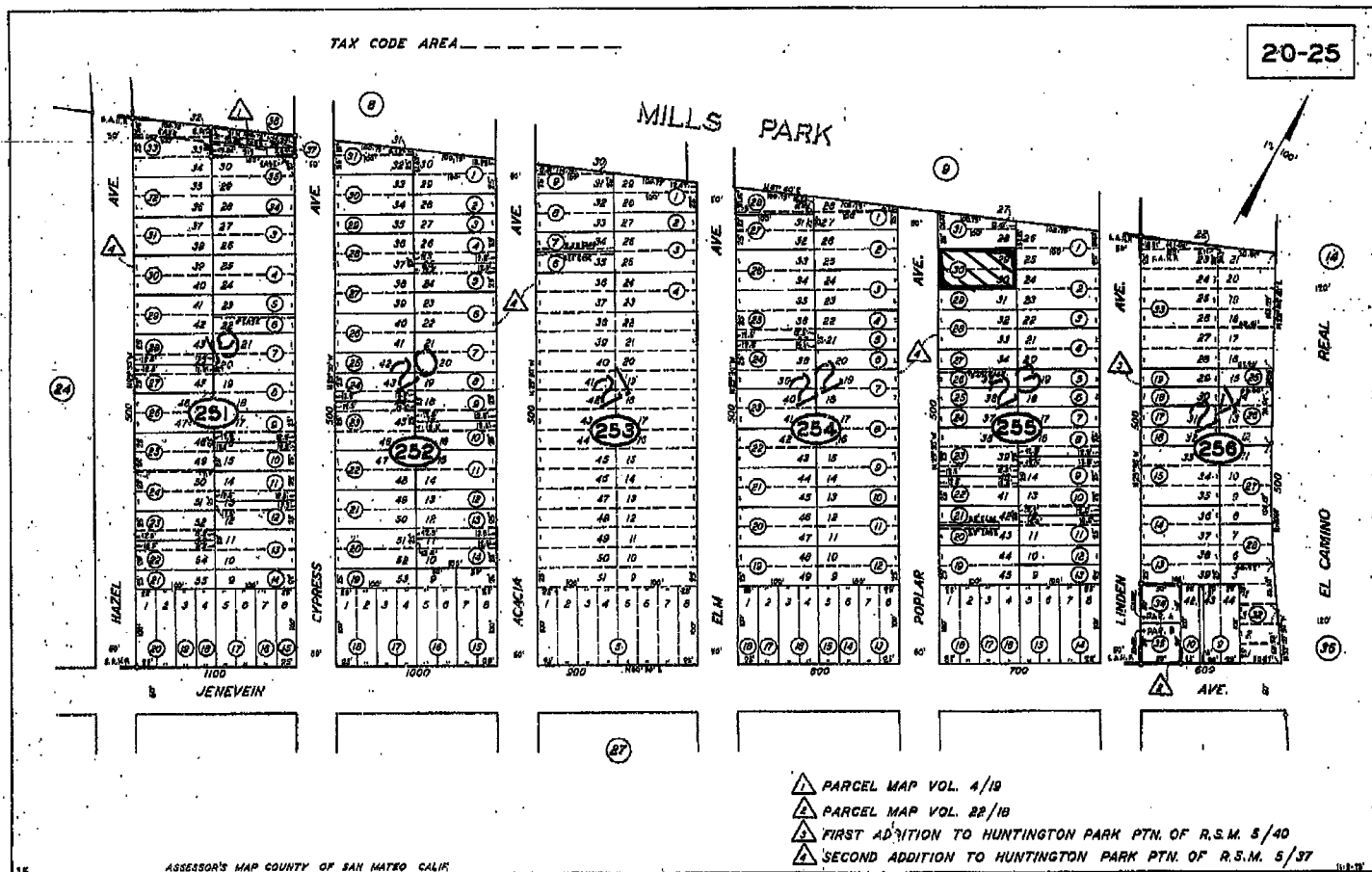
employees are hired, they must park in the garage or receive approval for a revised parking configuration from the Community Development Director.

11. Applicant shall stagger drop off and pick up times to the maximum extent feasible.
12. Applicant's household shall comply with all aspects of the San Bruno Municipal Code related to inoperable vehicles and working on vehicles on residential properties (12.100.055). Applicant shall not perform work on any vehicle outside of an enclosed garage other than minor repair and maintenance. Such work shall be done only between the hours of 8 A.M. and 10 P.M.

Fire Department - (650) 616-7096

13. Provide a manual pull station with a horn and strobe. Installation will require an electrical permit.
14. Approval pending final inspection by Fire Department.
15. Chimney requires a flame arrestor.
16. Four (4) inch illuminated address numbers are required at front of building.
17. Hardwired smoke alarms with battery backups required throughout building as needed.

Date of Preparation: April 6, 2007
Prepared by: Laura Russell
Assistant Planner



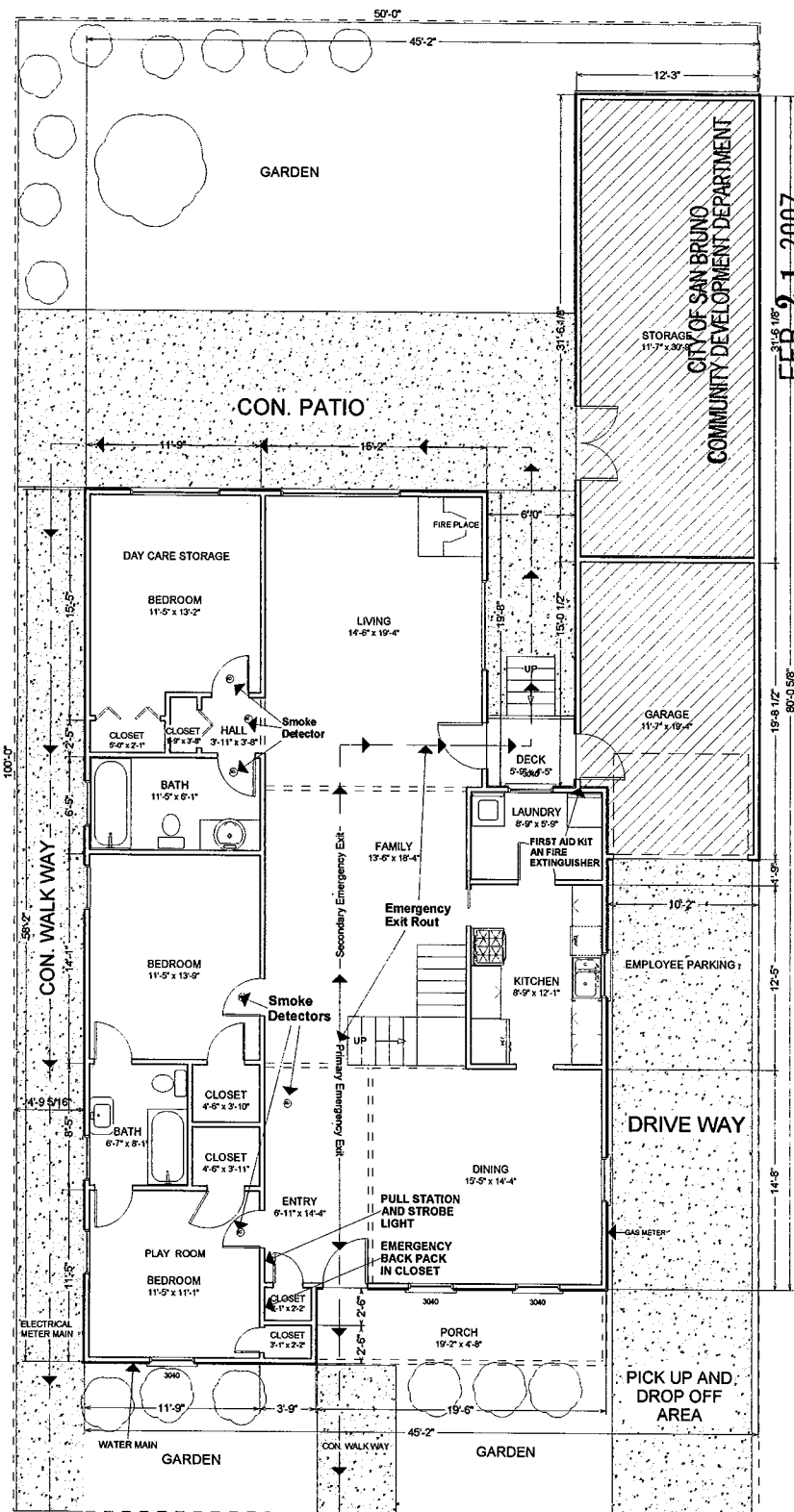
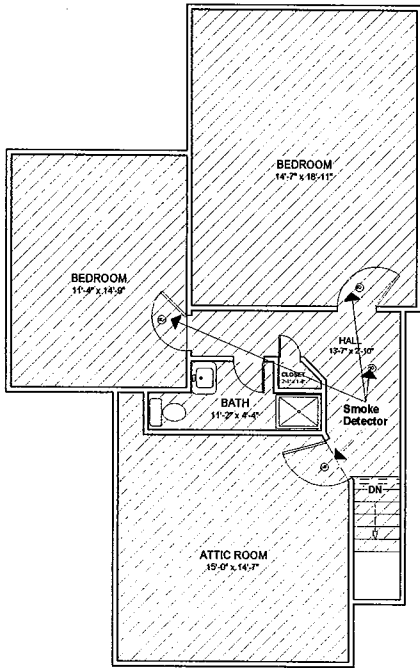
540 Poplar Avenue
020-255-300
UP 07-009

Exhibit A – Site Location

Duplco
 RECEIVED

FEB 21 2007

Second Story Floor Plan
No Day Care Use



Location 540 Poplar Ave
 To stairs @ school yard entrance

540 Poplar Ave
 Site & Floor Plan
 Day Care Layout
 Emergency Disaster Plan
 1/8" = 1"

Exhibit B

1

Drawing By:
 Mark C. Schiller
 2/21/2007

Auntie Lynne's Day Care
 Large Family Day Care
 540 Poplar Avenue San Bruno California

Alles Company, Inc.
 P.O. Box 1177
 San Bruno California 94066



**Auntie Lynne's Daycare
540 Poplar Ave.
San Bruno, Ca. 94066
650-873-4010
Lic. # 414001750
"A safe place for your little treasure"**

I have resided at 540 Poplar Ave. for over 32 years. I have 5 grown children and 2 grandchildren and counting. My small family daycare has been in operation for over 2 years. My goal is to provide a clean, safe, nurturing environment for small children where they can flourish while away from their parents. I use my preschool teaching background to help develop inquiring little minds. At the present, I have children from birth thru 4 years of age. Although I offer some fundamental skills(numbers, shapes, colors and alphabet) this is not a school, but simply a home away from home where there is much love and attention. My home is clean, safe, fun and welcoming with lots to do. In this way, I feel I can best serve my community.

**Sincerely,
Lynne Pisani**

Laura Russell

From: levinekarenj@aol.com
Sent: Friday, March 23, 2007 3:37 PM
To: Laura Russell
Subject: Proposed Large Day Care at 540 Poplar Avenue

I live at 535 Poplar Avenue and have concerns about expansion of the current day care center. The husband of the current day care center operator stores unsightly vehicles and other property at their home in areas that are visible from the street. I have made several complaints, in the past, about inoperable vehicles being parked for extended periods on our block by the owners of 540 Poplar. I was told, by the person I reported my complaint to, that there had been numerous complaints against the owners of this home over the last several years. They also store garbage cans which are often overflowing in front of their home. Additional children would mean more garbage, potentially more noise, and more traffic. We have a narrow street, with parking difficulty already (in part because of cars the owner is working on). The owner also is noisy at times, early on the weekends, hoisting engines and working on vehicles. Several years ago I put my house on the market, and was told by my agent that the cars were an eyesore and could hinder me selling my home.

Though I have listed several complaints, the family seems like a nice one and I do not wish to cause animosity, but I am opposed to the proposed enlargement.

Karen Levine

AOL now offers free email to everyone. Find out more about what's free from AOL at AOL.com.

Exhibit D

3/23/2007

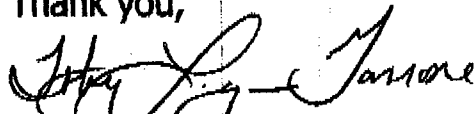
March 26, 2007

City of San Bruno
Community Development Department
567 El Camino Real
San Bruno, CA 94066

Attention: Laura Russell,

I am writing in response to the letter we received about Auntie Lynne's Daycare at 540 Poplar Avenue. The daycare is directly across the street from our house and though children arrive and get picked up we have never felt any negative impact. Lynne Pisani provides an excellent and well-run daycare. I have recommended her daycare to many people whom have all been very happy with the care their children have received. My family does not feel there will be any problems to the neighborhood when her daycare facility is expanded.

Thank you,



Toby Logan Garrone
541 Poplar Avenue
San Bruno, CA 94066

Laura Russell

From: Susan Taylor [staylor@initialplants.com]
Sent: Tuesday, March 27, 2007 12:12 PM
To: Laura Russell
Subject: Proposed large daycare center

Ms. Russell,

Thank you for your letter.

I am a neighbor residing at 545 Poplar Ave - across the street and over one house from 540 Poplar. My house and driveway are the last house on the west side of Poplar at the dead end. My concern over the proposed large daycare center has to do with the impact of potentially 14 cars arriving on my street between 7:00 and 7:30 AM and me trying to get to work. My driveway is the most convenient for drivers to turn around in, and I do not wish to be inconvenienced twice a day on a daily basis trying to get to work and the reverse occurring at the end of the day. What is happening now is that the drivers leave their cars unattended in the middle of the street blocking access to the three residences at the end while they go into the Pisanis house and drop off or pick up their child. I cannot get into my driveway until the driver comes out, maneuvers her vehicle around - usually having to pull into my driveway to do this - and drives away. (Really annoying when I need to get somewhere).

As you may or may not be aware, there is no place for these cars to **pull over**, park, drop off their children, turn around and then leave. The Pisanis own driveway has not been available. Perhaps this will be changing with the advent of a larger clientele. I hope so. The 500 block of Poplar is extremely crowded with nearly every available street parking spot taken daily. At my end of the street there are some 12 vehicles alone registered to the adjacent residences. There is no possible way a fire truck, ambulance or garbage truck can get to the end of the street when it is full of cars.

I guess my suggestion would be for the Pisanis to make their driveway user-friendly for the daycare clients so that they are not blocking access to the street.

I cannot support a larger daycare center unless the child drop-off/pick-up issues are addressed.

Susan Taylor
545 Poplar Ave
650-583-2210



567 El Camino Real
San Bruno, CA 94066
Voice: (650) 616-7074
Fax: (650) 873-6749
<http://www.ci.sanbruno.ca.us>

STAFF

Aaron Akin, AICP, *Interim Comm. Development Director*
Mark Sullivan, AICP, *Housing and Redevelopment Manager*
Lisa Costa Sanders, *Acting Planning Manager*
Tony Rozzi, *Assistant Planner*
Laura Russell, *Assistant Planner*
Pamela Thompson, *City Attorney*

PLANNING COMMISSION

Rick Biasotti, *Chair*
Bob Marshall, Jr., *Vice-Chair*
Kevin Chase
Mary Lou Johnson
Perry Petersen
Joe Sammut
Sujendra Mishra

**PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E5
April 17, 2007**

PROJECT LOCATION

1. Address: 112 Park Place
2. Assessor's Parcel No: 021-113-290
3. Zoning District: C-N (Neighborhood Commercial)

EXHIBITS

- A: Site Location
B: Site Plan and Preliminary Floor Plan
C: Applicant Support Statement
D: Photographs

REQUEST

Request for a Use Permit to allow a dental office in a neighborhood commercial zone per Section 12.96.100.C.3 of the San Bruno Zoning Ordinance; and request for a Parking Exception to allow a dental office with eight (8) parking spaces, where eleven (11) are required per Sections 12.100.090 and 12.100.120.A of the San Bruno Zoning Ordinance. **UP-07-014 and PE-07-003.** Dr. Janet Lim-Ombao and Erwin Ombao (Applicants) Ashok Gujral (Owner).

RECOMMENDATION

Staff recommends that the Planning Commission **approve** Use Permit 07-014 and Parking Exception 07-003 based on the Findings of Fact (1-8), subject to Conditions of Approval (1-16).

REVIEWING AGENCIES

Community Development Department
Public Works Department
Fire Department

LEGAL NOTICE

1. Notices of public hearing mailed to owners of property within 300 feet on April 6, 2007.

ENVIRONMENTAL ASSESSMENT

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor Alteration to Existing Facilities.

EXISTING CONDITIONS

The subject property is developed with a one-story, 2,060 s.f. office building currently used as a finance and mortgage office. In the C-N (Neighborhood Commercial) zone, the change of use from a finance office to a dental office requires a Use Permit.

The property is located on Park Place near the corner of El Camino Real. It is a rectangular-shaped lot surrounded on three sides by the City of Millbrae.

The site is 80' x 90' with a 10' wide alley running behind the parcel parallel to Park Place. The alley behind the site is in the City of San Bruno, but the alley behind the adjacent properties is in the City of Millbrae. The alley is not in use for vehicle circulation and in the vicinity of the site the fences along the property lines continue through the alley. At the subject site, there is no barrier between the parcel and the alley. There is an existing chain link fence between the alley and the apartment complex. (See Exhibit D Photographs.)



There are 14 existing substandard parking spaces located to the side of the building. The site has a slight slope, so access to the building is up two stairs. There is no existing ADA accessible parking or entrance to the building.

The surrounding neighborhood includes a mix of uses. The buildings immediately adjacent to the subject property include a two-story commercial building with retail and personal services, and a two-story apartment building with three units. Across Park Place, there is a two-story office building, small commercial building, and two single-family homes. Directly behind the site there is an existing apartment complex. (See Exhibit D: Photographs.)

SURROUNDING LAND USES

North: El Camino Real, City of Millbrae

South: Park Boulevard, City of Millbrae and Capuchino High School, San Bruno

East: El Camino Real, City of Millbrae and Lomita Park, San Bruno - R-2 Zone, low density residential

West: Linden Ave – R-3 medium density residential

PROJECT INFORMATION

The applicant is proposing to open a dental office and make changes to the existing parking configuration, improve the ADA accessibility, and add landscaping. There will be no changes to the exterior of the building, and an application for sign approval will be submitted separately. The applicant is planning on purchasing the building and dividing it into two spaces: 1,200 s.f for her dental practice and a 860 s.f. leaseable space.

The dental office is proposed to operate five days a week from 9 AM to 6 PM with the office closed on Wednesdays and Sundays. The staffing is expected to include one dentist and two to three support staff.

The current parking lot includes ten (10) substandard spaces oriented perpendicular to the building and

four (4) parallel spaces. The perpendicular spaces are only 8' wide and an existing planter and tree obstruct two of them. The backup distance for these spaces is very inadequate, and as a result the parallel spaces are unusable. When staff visited the site, the parallel spaces were empty and every *other* perpendicular space was occupied. The applicant is proposing to reconfigure the parking lot into eight (8) usable spaces that comply with the Municipal Code, including an ADA van accessible space. The Municipal Code requires 11 spaces for a 2,060 s.f. medical/dental use, therefore a Parking Exception is required to allow the parking as proposed (Although the use of the other leasable space is not known at this time, staff analyzed the parking based on the whole building being medical or dental use). The entrancing will also be improved by removing the stairs and creating a ramp from the ADA parking space up to the level of the building.

As part of the project, the applicant is also proposing to increase the amount of landscaping at the site. Currently, the site is completely covered with impervious surfaces except for 8 small tree wells and the planters along the sidewalk. The application includes two new planting areas at both ends of the parking row. These planters will add 140 s.f. of landscaped area and will decrease the amount of impervious surface. The Municipal Code calls for 7.5% (540 s.f.) of the site to be landscaped. The total amount of landscaping proposed is 395 s.f., which is well below the guideline of 7.5%, but still a significant improvement over the existing conditions.

The project complies with lot coverage, height, rear and side setback provisions of the Municipal Code.

Project details are shown in the following table:

Site Conditions		Zoning Requirements	Existing Conditions	Proposed Conditions
Land Use		CN (Neighborhood Commercial)	One story office building	Same
Lot Area		5,000	7,200	Same
Lot Coverage		3,000	2,480	Same
Lot Coverage %		60%	34%	Same
Building Setbacks	Front	15'	8'	Same
	Rear	10' *	14'	Same
	Right Side	0'	5'	Same
	Left Side	10' *	44' 6"	Same
Parking		11 Medical/Dental	14 Substandard	8*

(*) Notes:

- Side and rear setbacks shall be 10' when adjacent to a residential district
- New parking arrangement will provide usable spaces and comply with ADA

ANALYSIS AND RECOMMENDATION

The applicant is proposing a dental office in the C-N Neighborhood Commercial zone, which requires a use permit. Additionally, a parking exception is required to approve the proposed parking lot with 8 spaces instead of the required 11 spaces for a 2,060 s.f. medical/dental use.

*Pursuant to the City's Zoning Code, the Commission shall grant the Use Permit and Parking Exception if it makes the following findings (required findings are in **bold** followed by staff's analysis of the merits of the project and how the findings can be made):*

- 1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.**

The proposed dental office will not be detrimental to the surrounding neighborhood because the proposed changes are improvements to the property and a dental use will not generate more negative impacts than the existing use. The building is in compliance with all setback requirements and is only one story while the surrounding uses are two stories. The parking lot configuration will be changed to increase safety and compliance with the Municipal Code and ADA. A dental office use is in character with the neighborhood, which includes such diverse uses as professional offices, residential units, personal services, retail, and a veterinarian's office.

- 2. The proposed development will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.**

There are no exterior changes proposed to building itself, and the site improvements will increase the landscaping and enhance safe use of the parking lot. In general, dentistry is not associated with negative impacts or safety concerns. The proposal will benefit the City and the surrounding neighborhood through improvements to the existing property and by its general conformance to regulations set forth in the Municipal Code. Therefore, staff determines that the addition will not be detrimental to improvements in the neighborhood or to the general welfare of the City.

- 3. The proposed development will be consistent with the general plan.**

The San Bruno General Plan map designates the property as a medium-density residential district. However, staff is confident that this designation is in error due to the unique configuration of the parcel adjacent to residential use and surrounded on three sides by the City of Millbrae. The site has been in use as an office since 1956 and has been zoned C-N Neighborhood Commercial since at least 1961. The proposed development is therefore consistent with the intent of the general plan.

- 4. The strict application of the provisions of this chapter would cause particular difficulty or undue hardship in connection with the use and enjoyment of said property.**

The subject site is 80' wide, with the building and side setback taking up 35'6", leaving only 44'6" available for parking. Within these constraints, the applicant is proposing the maximum amount of parking that will fit on the site and comply with the Municipal Code. In order to accommodate 11 compliant spaces, the applicant would have to completely redevelop the site. Strictly applying the parking requirements of the Municipal Code would otherwise place particular difficulty and/or hardship on the applicant.

- 5. That the establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this chapter as are reasonably possible.**

The Code requires one parking space per 200 s.f. of gross floor area of medical/dental offices, resulting

in 11 spaces (10.3 rounded up). The applicant is proposing eight (8) spaces that comply with the size requirements of the Municipal Code and ADA. Given the size constraints of the site, it is not reasonably possible to provide additional parking on site.

Furthermore, staff analysis assumes that the applicant's future tenant will be another medical or dental use, which has a high parking requirement. In the C-N zone, it would be possible for a retail business or general office to move into the leased space. Under those circumstances, only 10 spaces would be required, rather than 11. The impact of the Parking Exception may therefore be less, depending on the future tenant. However, the leased space cannot be used by a restaurant without issuance of a parking exception by the Planning Commission.

PUBLIC COMMENTS

None were submitted prior to the Public Hearing.

RECOMMENDATION

Based on the above analysis and Findings of Fact 1-8 below, Staff recommends approval of Use Permit 07-014 and Parking Exception 07-003 subject to conditions 1-16 below.

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since planned changes are improvements to the property and a dental use will not generate more negative impacts than the existing use.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given that: there are no exterior changes proposed to building itself; the site improvements will increase the landscaping and enhance safe use of the parking lot; and dentistry is not associated with negative impacts or safety concerns.
3. The proposed development will be consistent with the intent of the general plan, since the general plan map contains an error and the site has been use as an office since 1956.
4. The strict application of the parking requirement provisions would cause particular difficulty or undue hardship in connection with the use and enjoyment of said property since the maximum possible amount of parking is proposed that complies with the Municipal Code and ADA.
5. That the establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this chapter as are reasonably possible.

CONDITIONS OF APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-014 and Parking Exception 07-003 shall not be valid for any purpose. Use Permit 07-014 and Parking Exception 07-003 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit and Parking Exception shall be built according to plans approved by the Planning Commission on April 17, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.
7. The allowed use of the site shall be limited to medical/dental office and those uses allowed in the C-N district, and with parking requirements similar or less than medical/dental office use, without issuance of a parking exception by the Planning Commission.
8. All signs shall be approved by the Planning Division under a separate application and must comply with Fire Department Conditions of Approval.
9. Applicant shall submit to Planning Division a detailed landscape plan prior to any Building Division permit issuance that includes: a plant schedule with Latin and common names, the proposed location of proposed plants, and irrigation lines.

Department of Public Works – (650) 616-7065

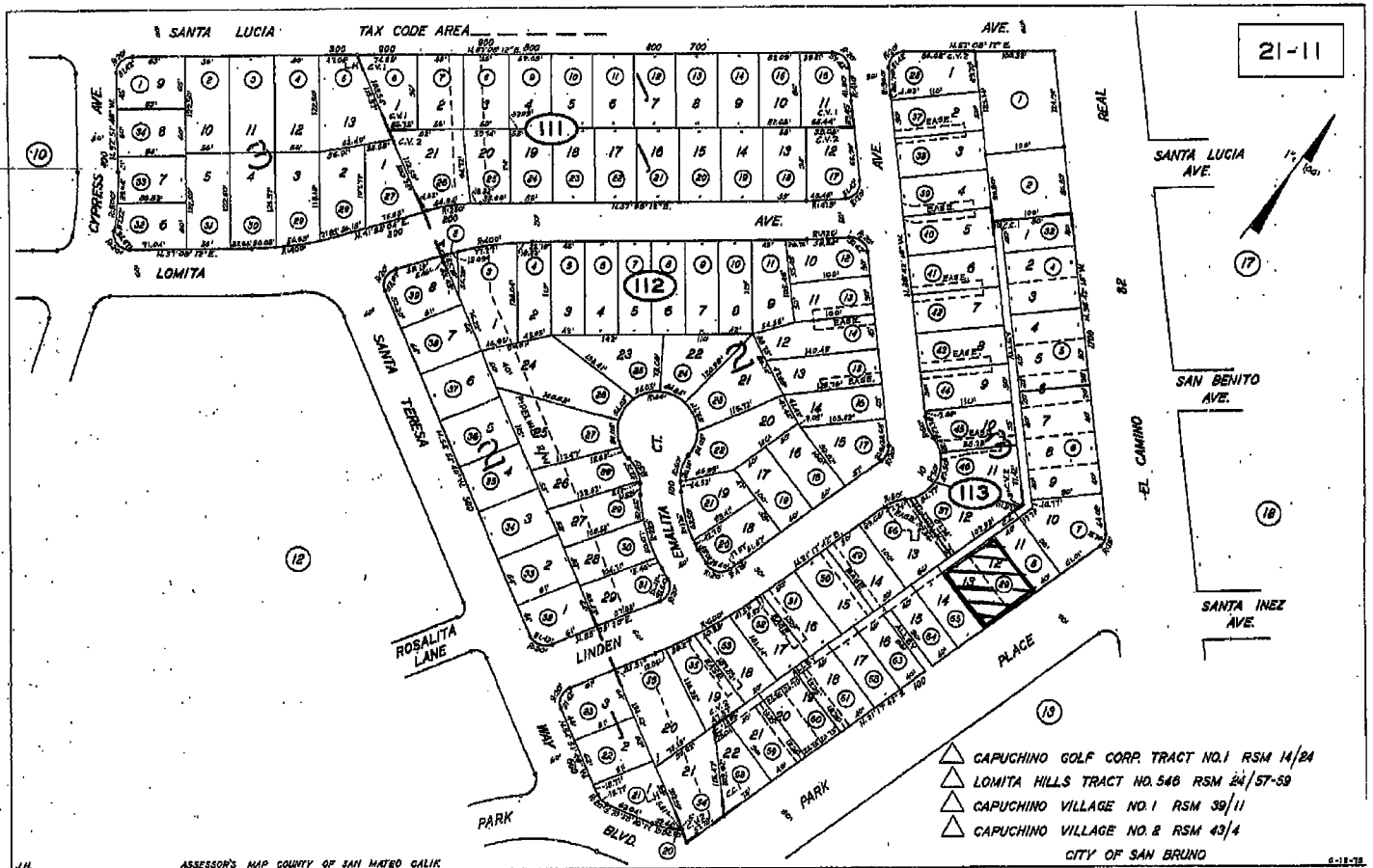
10. Encroachment Permit from Engineering Department required prior to work in the public right-of-way. S.B.M.C. 8.16.010
11. Remove and replace all sidewalk at front of property for all locations where there are any raised or offset concrete sections greater than 3/4-inch. S.B.M.C. 8.12.010.

12. Storm water from new and existing roof down-spouts shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1.
13. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule. S.B.M.C. 8.24.060

Fire Department – (650) 616-7096

14. Incorporate new address numbers into monument sign.
15. Provide minimum 8" address numbers mounted on an approximate 11" X 14" backing and hung from the fascia (gutters) visible from parking lot.
16. The project must comply with all future Fire Department conditions, as required during the plan check review by the Building and Safety Department.

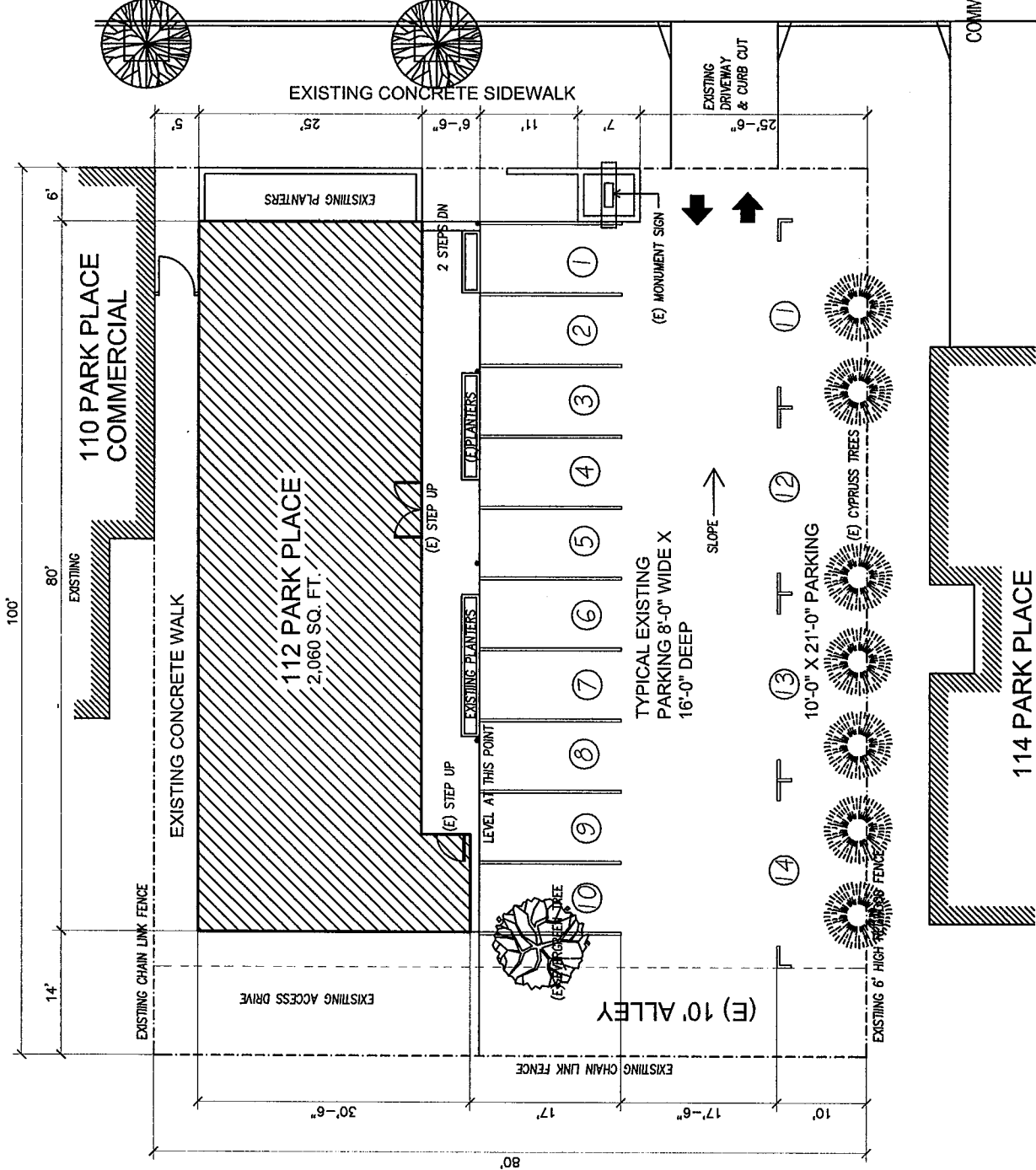
Submitted on 04/06/07 by:
Laura Russell
Assistant Planner



112 Park Place
021-113-290
UP 07-014; PE-07-003

Exhibit A – Site Location

SK-1



CITY OF SAN BRUNO
COMMUNITY DEVELOPMENT DEPARTMENT

APR 02 2007

RECEIVED
DENTAL OFFICE
112 PARK PLACE
SAN BRUNO, CA

EXISTING SITE PLAN

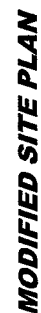
APN NO. 027-113-280
BLDG AREA 2,060 SF
3-27-07

SCALE IN FEET
1/8" = 1' - 0"

114 PARK PLACE
2-STORY 3-UNIT APARTMENT



Exhibit B – Site, Floor Plans



APN NO. 021-113-290
BLDG AREA 2,060 SF

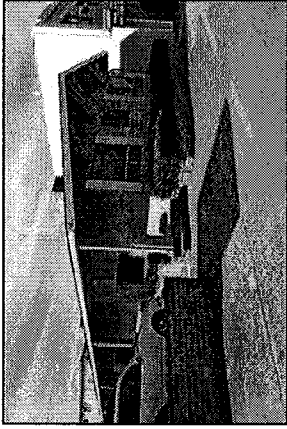
SCALE IN FEET
1/8" = 1'-0"

28

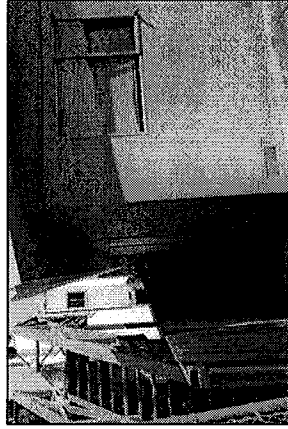
SK-4



parking lot



building facing park place

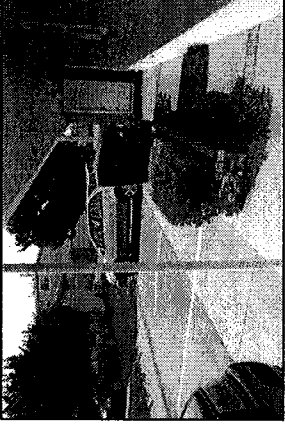


5 foot side yard

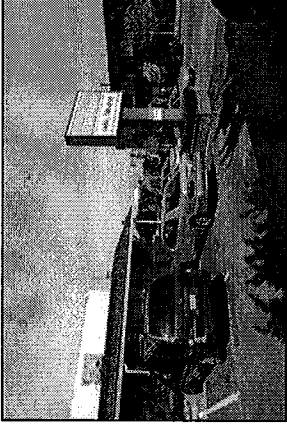


step up to existing floor & walk

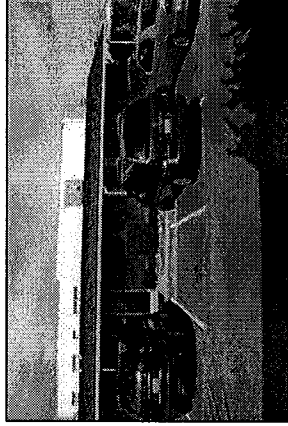
**DENTAL OFFICE
112 PARK PLACE
SAN BRUNO, CA**



front walk



existing monument sign



existing parking at building entry



looking towards street at front walk

EXISTING SITE PHOTOS

APN NO. 021-113-290

BLDG AREA 2,060 SF

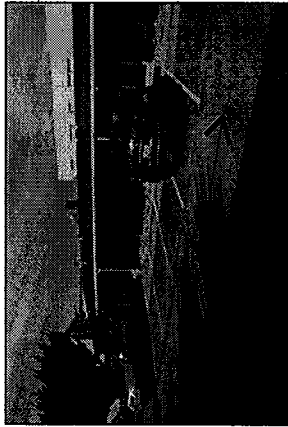
3-13-07



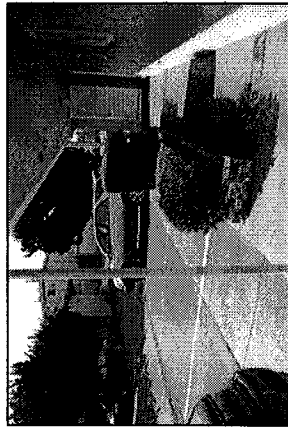
rear yard at alley



steps to front walk



parking level at front walk at end entry



looking at building end entry

Atelier
Bart Architects Inc.
112 Park Place
San Bruno, CA 94066
415.338.1122

Dr. Janet Lim-Ombao, DMD
2103 Clarice Lane
Burlingame, Ca. 94010

415-516-3365
RXTOOTH@YAHOO.COM

March 19, 2007

Re.: Application to change the existing use of:
112 Park Place
San Bruno, Ca.

Description

It is both an honor and a pleasure to submit my application to the City of San Bruno, for the use of commercial/professional space at 112 Park Place, for use as a family dental office. The proposed demographic is adjacent to businesses, school and residences. It is my opinion that changing the use would bring value to the community by adding convenience and quality.

History:

I have practiced Dentistry in the bay area for over 10 years, as an associate with: Community Dental and more recently JT Dental. Family care has always been the cornerstone of my business. My skills are very broad and center on the treatment of children and adults. This not only means acute clinical sense, but finely honed relationship building skills.

Philosophy

I ultimately plan to conduct business five days a week, with hours to accommodate the community. I am committed to providing for the community with dental resources aimed at raising the quality of "Family" dental care. Building this new facility and practice will be an immense responsibility. It is my philosophy that motivates and excites me to accept the challenge.

Specifics:

- Proposed staff: 3 (initial)
 - 1 dentist
 - 2-3 support staff
- Facility: Approx. 2100 Sq Ft.
- Parking Spaces: 8
 - Spaces for staff/lessee usage: TBD
- Proposed Days: Mon-Tues-Thurs-Fri-Sat
- Proposed Hours: 9am-6pm
- Note that hours may change to best serve the community.

I appreciate your consideration in this professional endeavor. I look forward to your time, interest and forthcoming reply. If is appropriate, I am happy to personally meet with your committee to add specifics and depth to my application.

Respectfully,

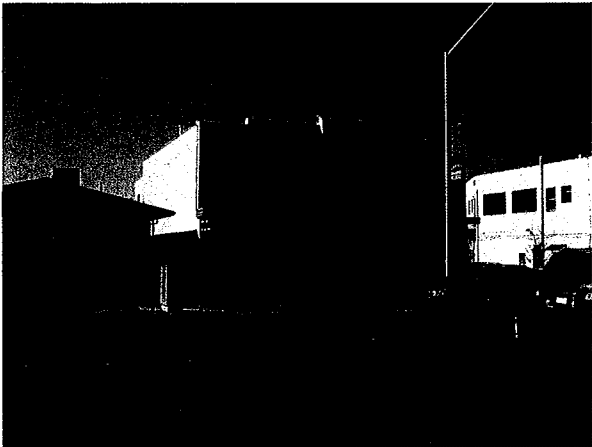


Janet Lim-Ombao, DMD

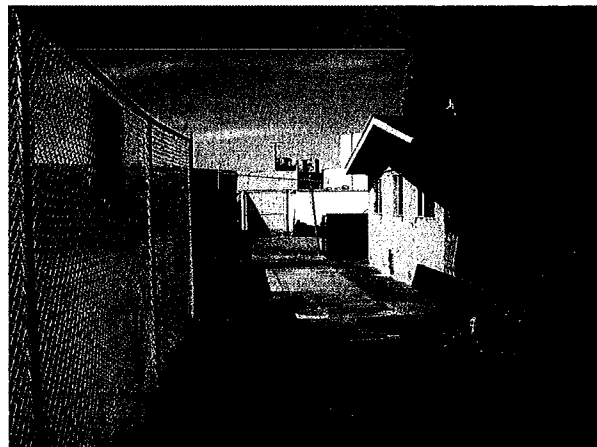
Exhibit C



Offices, retail, and residential uses across Park Place from the subject site.



Commercial and residential uses adjacent to the subject site.



Rear portion of the site, showing proximity to adjacent apartment building and rear alley.

Exhibit D

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT



567 El Camino Real
San Bruno, CA 94066
Voice: (650) 616-7074
Fax: (650) 873-6749
<http://www.ci.sanbruno.ca.us>

STAFF

Aaron Akin, AICP, *Interim Community Development Director*
Mark Sullivan, AICP, *Housing and Redevelopment Manager*
Lisa Costa Sanders, *Acting Planning Manager*
Tony Rozzi, *Assistant Planner*
Laura Russell, *Assistant Planner*
Pamela Thompson, *City Attorney*

PLANNING COMMISSION

Rick Biasotti, *Chair*
Bob Marshall, Jr., *Vice-Chair*
Kevin Chase
Mary Lou Johnson
Perry Petersen
Joe Sammut
Sujendra Mishra

**PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E6
April 17, 2007**

PROJECT LOCATION

1. Address: 249-257 Santa Lucia Avenue
2. Assessor's Parcel No: 021-173-050
3. Zoning District: R-2 (Low Density Residential)
4. General Plan Classification: Low Density Residential

EXHIBITS

- A:** Site Location
B: 1998 Application For Excess Housekeeping Units
C: 1998 Letter with Code Enforcement Findings
D: 1998 Community Development Director Determination Letter
E: 2007 Community Development Director Determination Letter
F: 1986 Building Permit showing Single-Family House at 253 Santa Lucia Avenue
G: 1983 Building Permit showing Duplex at 249 Santa Lucia Avenue
H: Copy of 1959 Zoning Code
I: 1959 Building Permit for 253 Santa Lucia Avenue
J: Excess Housekeeping Unit Ordinance
K: Applicant's Appeal Package (Full Copy Distributed to Planning Commissioners)
L: Floor Plan

REQUEST

Appeal of the Community Development Director's Decision that an appeal was not made in the prescribed amount of time and that not more than 4-units legally exist on this parcel per section 12.92.030 of the San Bruno Municipal Code.

RECOMMENDATION

Staff recommends that the Planning Commission uphold the Community Development Director's decision that an appeal was not made within the legal timeframe and that not more than four (4) legal units exist on this property based on Findings 1-2.

REVIEWING AGENCIES

Community Development Department

AREA DESCRIPTION

North: Santa Domingo Avenue, R-2 Zone
South: Jenevein Ave, R-2 Zone
East: San Benito Avenue, R-2 Zone
West: South San Anselmo Avenue, R-2 Zone

LEGAL NOTICE

1. Notices of public hearing mailed to owners of property within 300 feet on April 6, 2007.

ENVIRONMENTAL ASSESSMENT

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor Alteration to Existing Facilities.

CURRENT SITE DESCRIPTION

There are two 2-story residential buildings on this property. The building on the eastern portion is referred to as 249 Santa Lucia Avenue throughout this report. It currently contains 3 units, 1 on the ground floor and 2 on the 2nd floor. These units are numbered 247, 249 and 251 Santa Lucia Avenue and are shown in attachment "L".

The building on the western portion of the site is referred to as 253 Santa Lucia Avenue throughout this report. This building contains 5 units and 2-car garage. 3 units are on the ground floor and 2 units are on the 2nd floor. These units are numbered 251A, 253, 253A, 255, and 259 Santa Lucia Avenue and are shown in attachment "L". The applicant admits the top floor of this building should only contain one unit, not two as it stands today, therefore the applicant does not wish to keep 253A as a separate unit. The legality of the units in both buildings is discussed below.

BACKGROUND

This property has been the subject of an ongoing code enforcement case for approximately ten (10) years. The crux of the case is that the applicant contends that there are seven legal units on this parcel, while the City has repeatedly determined that there are only four legal units onsite. Currently there are two buildings onsite, one of which contains 5 units and the other containing 3 units, bringing the total number of units onsite to 8. As noted above, the applicant admits the second floor of 253 Santa Lucia should only have one unit, not two.

The property is currently zoned R-2, which would allow only one unit today. In the 1950s, this property was zoned R-3, which would allow up to 5 units. However, according to the 1950s zoning code, each unit must have one covered parking space (see Attachment "H"). A search around the neighborhood finds that there are many small apartment complexes that were built in the 1950s, all of which have one parking space per unit. The subject property has a total of 2 parking spaces for 8 units.

The determination that only 4 legal units exist onsite was first made the former Community Development Director, George Foscardo, in a letter attached as Exhibit "D". After a thorough investigation, Mr. Foscardo sent the above-mentioned letter to the applicant on August 18, 1998. In summary, this letter states that the parcel only contains 4 legal units onsite, 2 of which were a part of the original construction, and 2 of which were approved as "Excess House Keeping Units". Therefore, the property owner was required to remove 3 of the units. Subsequent to this letter being

sent, the property owner did not submit documentation to the City that the units were actually removed. In fact, since that time the owner added an additional unit on the top floor of 253 Santa Lucia Avenue, which he does not wish to keep.

Although removal documentation was never submitted, the case was dormant for a number of years until a tenant complained of substandard living conditions in 2004. Among various complaints about the building, the tenant also stated that work had recently been completed in the building and that no permits were obtained. Code Enforcement Officers and the Building Official confirmed during a site inspection that improvements had been made without obtaining a building permit. At that time they also noted numerous life safety issues that needed to be resolved immediately. The property owner did obtain a permit and the life safety improvements were completed in 2006.

Regarding other building permits, there is a 1983 permit on file for front stair repair at 249 Santa Lucia Avenue (original home on west side of property); this permit states this structure is a duplex. There was also a 1986 permit for an addition to 253 Santa Lucia Avenue (transported home on east side of property), however this permit just added floor area, not an additional unit. It is important to note that the building permit describes this structure as a "single-family" home.

Based on file research, staff finds that there were originally two legal units on this property – the original home on the western edge of the property and the home that was moved there on the eastern side of the property. In 1998 Mr. Foscardo approved two excess housekeeping units onsite, one in each building, bringing the total number of legal units to four (4). However, the property owner has maintained that there are six or seven legal units onsite. Staff has repeatedly requested historical documentation that shows that six or seven units legally exist onsite. In response, the applicant has provided some historical documentation, including photographs and statements by witnesses, that additional units historically existed on the site. However, no documentation has been submitted or found that any additional units (beyond the four identified by Mr. Foscardo) legally existed on the site.

In response to the property owners' repeated claims that six or seven units exist onsite, the Community Development Director recently sent a letter summarizing staff's determination (see Attachment "E"). The letter states that the applicant did not appeal Mr. Foscardo's decision in a timely manner. In this case, the determination was made 9 years before an appeal was made, and the San Bruno Municipal Code stipulates a seven-day appeal period. There is no documentation in the file that would suggest a timely appeal was made and the applicant admits a formal appeal was not made during this time period.

The applicant's failure to timely appeal Mr. Foscardo's prior determination is, by itself, sufficient to warrant a rejection of its current appeal. However, in light of the various allegations made by the applicant regarding his alleged follow-up discussions with Marsha De Hart – for which no documentation can be found – staff also took the extra step of revisiting the merits of Mr. Foscardo's determination. In its letter, staff also concluded that Mr. Foscardo made the correct decision that only 4 legal units exist on this parcel.

Chronological Summary

- Home on eastern side of property was constructed as a single-family home in the 1950s (249 Santa Lucia).
- Home of western side of the property (253 Santa Lucia Avenue) was constructed as a single-family home in San Francisco and transported to San Bruno in 1959 (see attachment "I")
- In 1959, the property was zoned R-3, which allowed 5 units on this property, requiring 1 dedicated parking space per unit. There are only 2 covered parking spaces onsite for the 7 existing units onsite.
- In 1983 a building permit was obtained for stair repair at the original home, 249 Santa Lucia Avenue. On the building permit it refers to the structure as a "duplex".
- In 1986 a building permit was obtained for a two-story garage, bedroom and bathroom addition at 253 Santa Lucia Avenue. The building permit refers to the structure as single-family home.
- In 1998 Marcia DeHart, Code Enforcement Officer, wrote a letter to the current owner stating that there were only two legal units onsite. See attachment "C".
- In 1998, in response to that letter, the property owner applied to keep the five additional units through the "Excess Housekeeping Unit" process.
- In 1998, in response to the "Excess Housekeeping Unit" application, George Foscardo, former Community Development Director, approved 2 additional units, but denied 3, bringing the total number of legal units onsite to 4.
- 1998 – 2004: The case was dormant, and although the property owner was required to remove the units per Mr. Foscardo's determination, no appeal was filed and the units were not removed.
- 2004: A tenant complained about numerous living conditions, and in response to that complaint, the code enforcement case for the additional units was reopened.
- 2007: The applicant still maintains that there are seven legal units onsite, despite the previous determination in 1998. In response to this claim, the Community Development Director wrote a letter stating the appeal wasn't made in timely manner and that Mr. Foscardo was correct in his determination that four units exist onsite.
- 2007: The applicant appealed the 1998 and 2007 determinations to the Planning Commission.

ANALYSIS & FINDINGS

The Community Development Director determined that only four legal units exist onsite based on the following findings:

- 1. The applicant was informed of the legality of the units in 1998, specifically that only 4-legal units exist onsite, and did not appeal the determination within the legally prescribed timeframe outlined in Section 12.92.030.3 of the San Bruno Municipal Code.**

The original determination that four units legally exist onsite was made on August 18, 1998, in letter sent by the George Foscardo, former Community Development Director, to Tony Bianchi, property owner (attachment "D"). This letter specifically stated what the City's determination was, why this determination was made and that if Mr. Bianchi wished to appeal the decision, the appeal must be made within a seven days. It is a fact that the property owner did receive this letter, and that a written appeal to the Planning Commission was not made within seven day time period. If an appeal were made during this time period, the Planning Commission could have made a timely determination on the number of units onsite. Mr. Foscardo's letter was a follow-up letter to a previously letter sent by the Marcia DeHart of the Code Enforcement Division, which also determined a majority of the units onsite were illegal. Ms. DeHart's letter is attached as Attachment "C".

The applicant makes various allegations regarding communications he had with Ms. De Hart, immediately following Mr. Foscardo's letter. Despite numerous efforts, City staff has been unable to find any documentation supporting the applicant's allegations, and Ms. De Hart has unfortunately passed away. In any event, any oral discussions between Ms. De Hart and the applicant could not override the formal written determination of the former Community Development Director. Given the clear notice in Mr. Foscardo's letter of the need to timely appeal his determination, and the undisputed lack of any such appeal prior to the current proceedings, staff feels compelled to conclude that Mr. Foscardo's determination is now final and binding.

Again, the applicant's failure to timely appeal staff's determination, by itself, is sufficient to warrant rejection of its current appeal. However, in the event that the Planning Commission wishes to nonetheless consider the merits of the underlying case, staff also presents below its opinion and analysis as to why Mr. Foscardo's 1998 determination had merit.

- 2. Based on City documents, and the information provided by the applicant, the original 1998 determination by Mr. Foscardo was correct in stating that four legal units exist onsite.**

The property is currently zoned R-2, which allows one (1) residential unit for every 2,900 sq. ft. of lot area. Since the subject parcel is 5,600 sq. ft., only 1 unit would be allowed today. Prior to the current zoning, the parcel was zoned R-3, which allows 1 unit for every 1,000 sq. ft. of lot area, however the same zoning code also required one parking space per unit, which this property does not have. In fact, there are only two parking spaces onsite for all eight units. Therefore, the former zoning would allow up to two units to be built onsite. According to the documents on file, one single-family home was built onsite and another was moved from San Francisco. Two-story single-family home construction is typical for San Francisco construction of that era.

Since the original construction of the homes in the late 1950s, there have been a series of

modifications, improvements and additions to the home which bring it to its current state. While some of these improvements were made with permits, a majority were not. City staff has repeatedly asked for proof that these improvements were made with permits. However the property owner has been unable to provide proof, and repeated searches through City files found that no such permits exist for a majority of the improvements within the building.

The largest addition to the home was constructed with permits during in 1986. However, this addition did not include the creation of new units, only the expansion of the legally existing units. Since the zoning was the same in the 1980s as it is now (R-2), and there are no applications for zoning amendments or variances on file, the property owner could not have legally, created new units in the 1980s. The building permit for the 1986 addition is attached as Exhibit "F". This building permit clearly states that this is a single-family home.

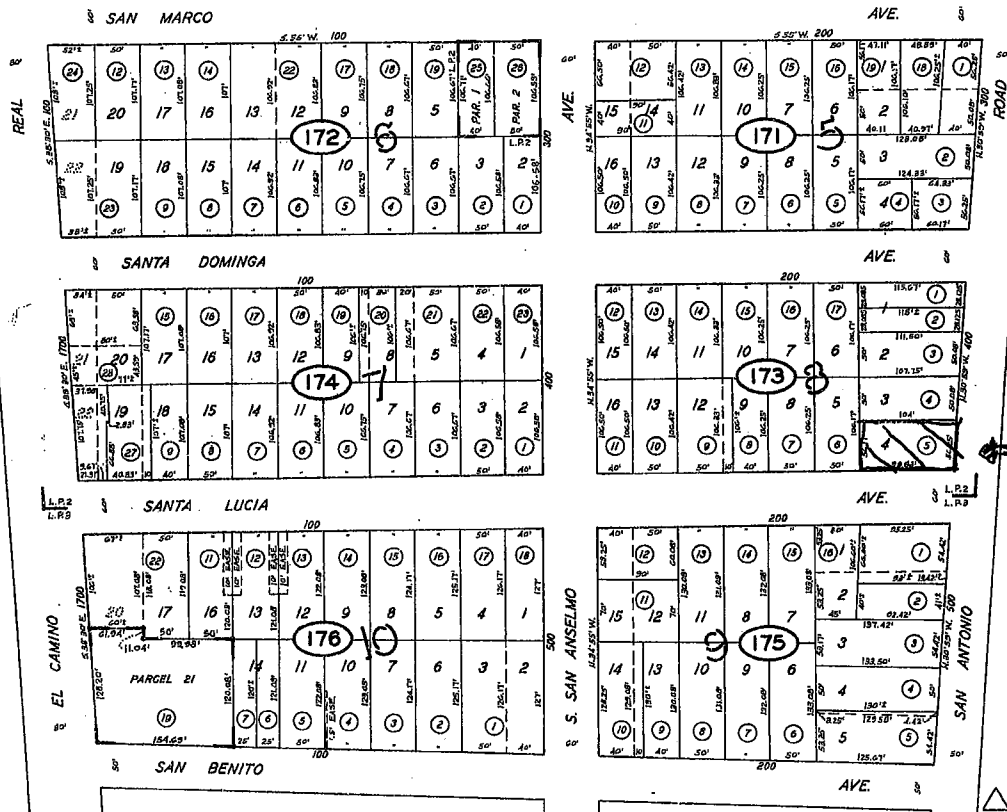
As noted above, the parking situation onsite leads staff to find that the buildings onsite were constructed as single-family homes. While the property owner has noted that there are several other apartment buildings in the neighborhood, there is a key difference between the subject property and the nearby apartment buildings in that the nearby apartment buildings provide one parking space per unit, even when constructed during the 1950s. This is true for the apartment building adjacent to this property, which was also constructed in the 1950s. This subject home only has two covered spaces and two driveway spaces, a situation which is consistent with single-family home construction, not apartment construction.

Given that the property was developed with two-single family homes, and that the current zoning only allows 1 unit, and the former zoning only allowed 2 units, the only legal way to add additional units is thorough the "Excess Housekeeping Unit" process outline in San Bruno Municipal Code Section 12.92.030. This process allows for one additional unit in each building. Therefore a total of 2 additional units can be approved onsite, bringing the total legal number to 4 units. As Mr. Foscardo stated in his 1998 letter "even though your grandmother may have had six units on this property, I have to conclude, based on building records, that two of those units were illegal at the time she had them."

The applicant contends that the additional units should be allowed as a "legal non-conforming use." In order for a use which violates current zoning code to be deemed "legal non-conforming," it must be established that, at some time in the past, the use was allowed by the zoning code which then existed. However, as discussed above, the zoning code has never allowed the construction of six or seven units on this property. Given the lack of any documentation in the City's files that more than four units were ever lawfully approved on this parcel, staff is compelled to conclude that the additional units are not legal and cannot be lawfully maintained.

Prepared by:

Aaron Aknin, Interim Community Development Director
April 13, 2007



- △ PARCEL MAP VOL. 25/42
- △ LOMITA PARK SUB. NO. 2 RSM 3/41
- △ LOMITA PARK SUB. NO. 3 RSM 3/45



PAID
JUL 24 1998

CITY OF SAN BRUNO

567 El Camino Real
San Bruno, CA 94066
Voice: (650) 877-8674 • Fax: (650) 873-5749
bruno@cityofsanbruno.net

George D. Forester, AICP
Director

CITY OF SAN BRUNO

DEPARTMENT OF PLANNING AND BUILDING

APPLICATION FOR SECOND UNIT IN A RESIDENTIAL ZONE

TYPE OF APPLICATION

Second Unit

FEE

\$50.00 for the first unit
inspection plus \$7.50 per
additional unit.

APPLICATION DATA

Case No(s):

Date Submitted: 7/24/98

Agenda Date:

Total Fees Paid: \$55-

Check No: CASH

REQUIREMENTS - MUST ACCOMPANY THIS REQUEST

Application must be accompanied by: legal documentation (utility bills, city building permits, or any other reasonable documentation) that the unit was built, constructed, or added prior to June 30, 1977.

APPLICANT

Name: Anthony J. Branchi

Contact Person:

Address: 253 Santa Lucia Ave San Bruno

Phone Number: (650) 33-8292

Fax: ()

PROPERTY INFORMATION

Address: 249 - 253 Santa Lucia Ave

APN(s):

Existing Land Use:

General Plan Designation:

Number of Units Currently on Property: 7

PROPERTY OWNER

Name: Anthony Branchi

Phone Number: (650) 583-8292

Address: 253 Santa Lucia Ave San Bruno

I, the undersigned applicant, hereby apply for a determination that a second unit(s) in residential zones as set forth in above information constitutes a legal non-conforming use, and certify that the foregoing information, to the best of my knowledge, is true and correct.

Signature (Applicant):

Anthony Branchi

Date: 7-24-98

Signature (Owner):

Anthony Branchi

Date: 7-24-98

APPROVAL

Date Submitted:

Signed:

Assessor's Number:

George D. Forester, Community and Economic Development Director

Completed By:

Zoning:

Exhibit B: 1998 Application For Excess Housekeeping Units



TO: <i>Rose Erdosaincy</i>	FROM: <i>Marcia FXI</i>	DATE: <i>6/26/98</i>
FAX #: <i>363-7882</i>	FAX #: <i>FXI</i>	PAGES INCLUDING THIS PAGE: <i>3</i>

CITY OF SAN BRUNO
PLANNING & BUILDING

Marcia S. DeHart
Neighborhood Improvement Representative

June 25, 1998

Tony Bianchi
253 Santa Lucia Avenue
San Bruno, CA 94066

Re: 249-259 Santa Lucia Avenue, APN 021-173-050

Dear Mr. Bianchi:

Thank you for meeting with Greg McFann and me yesterday. While it is unfortunate that we were unable to check the interior of all the living units, at this phase we are far more interested in which units are legal. Once that is determined, we can work on any substandard conditions and any building that may have taken place without permits.

After returning to the office, I reviewed the old hand-written records from prior to the early 1950s. Unfortunately, they are no help at all. When it was unincorporated, it appears as though Lomita Park's record keeping left a great deal to be desired. We only show perhaps a half-dozen lots in the entire community, none with addresses, and none that match your lot and block number. The County may have more complete information in their microfilm.

Next I pulled the parcel maps. They show the above parcel as measuring only approximately 50' x 100'. By today's standards, which is what we will be working with, that is only sufficient for one dwelling unit. Our excess housekeeping unit ordinance contains a mechanism to increase the number of legal units on a piece of property, but only by one unit per parcel.

I next checked old water department records. They show that there is only one meter for the entire property. For many, many years, whenever a unit was built or an excess unit was approved, one of the requirements has been to get a separate water meters for each unit. Clearly that did not happen in this instance, which is also unfortunate because that would help your case.

567 El Camino Real, San Bruno, California 94066-4299
Voice: (650) 877-8874 • Fax: (650) 873-6749

Exhibit C: 1998 Letter with Code Enforcement Findings

The water records, however, did have a note that seems to date from the water conservation period about 6 years ago. At that time, with penalties for overusage so high, people were allowed to apply for larger than normal basic allowances in certain circumstances, one of which was that there were more units than were on the record. There was a deliberate decision made at the time by the Water Appeals Board, of which I was a member, that this program was a water conservation program, not a zoning enforcement program. Therefore, people could request additional water on the basis of extra housing units, without incurring zoning enforcement penalties. The note states that 253 - the only house number for that lot in water records, even though the 'official' number is 249 - is a five-unit apartment building. That is both helpful and not so helpful, because there are six units there today and because the verification of the existence of the extra units is too recent for legal purposes.

That is the extent of all the information the City has been able to generate. Based upon that information, it would appear you have one legal unit and five illegal units. At this time, therefore, I must issue an Order to Cease and Desist Violations of the City of San Bruno Zoning Code. You should consider this letter such an order.

You have the ability to appeal this order. In anticipation of your doing so, I have included an appeals form, that will be evaluated by the Community and Economic Development Director. You must demonstrate not only that the units were in place on June 30, 1977, but that they were legally in place. In order to make a determination, he will need so-called 'third party' evidence.

The best possible evidence, therefore, is a letter from the Assessor's Office showing you are paying taxes on six units. If you can provide it, along with a supporting tax bill, that's all we will need.

Less helpful, but still useful, are utility and similar official records that will demonstrate continuous usage and/or that the City thought that at one point, at least, there were legal excess housekeeping units. Ordinarily this would include building permits, but unfortunately the water department records as well as the only building permits in our file clearly label this property as a single family residence.

Still less helpful but sometimes useful are old photographs that clearly show conditions that are identifiably prior to 1977 and also show the excess units. Least helpful are statements from long-term residents, unless they can be backed up by other materials. In general, the Director gives almost no credence to such statements, for obvious reasons.

You have thirty (30) days to assemble and present it to the Director. You should expect a decision with five to ten days. Should he rule against you, you have a right to

appeal his decision to the Planning Commission, and then to the City Council, if it comes to that.

Should you have questions, please call either Greg McFann or me at 877-8874. It is the City's intent to work with property owners to correct violations and upgrade property to a standard that will benefit not only you, your tenants and your immediate neighbors, but the entire community, as well. For your anticipated cooperation in that process, we thank you.

Sincerely,

CITY OF SAN BRUNO
Department of Planning and Building

Marcia S. DeHart
Neighborhood Improvement Representative

cc George D. Foscardo, Community and Economic Development Director
Greg McFann, Building Official



CITY OF SAN BRUNO
PLANNING & BUILDING

George D. Foscato, AICP
Community and Economic Development Director

August 18, 1998

Tony Bianchi
253 Santa Lucia Avenue
San Bruno, CA 94066

Re: 249-259 Santa Lucia Avenue, APN 021-173-050

Dear Mr. Bianchi:

The materials you provided in your application for approval of excess housekeeping units took time to go through, particularly since you were asking approval of six (6) excess units on a lot that a strict reading of the City code would allow only two (2) units total.

Having reviewed the materials you provided, and having discussed the issues in some detail with the Building Official and Neighborhood Improvement Representative, I can only find justification for a maximum of four units at your property. Even though your grandmother may have had six units on this property, I have to conclude, based on building records, that two of those units were illegal even at the time she had them. The assessor's records are unclear, but seem to indicate that the property has only two units total. By your own admission, the unit with your father's former housekeeper was added in 1985-86.

The two units about which I am confident are the original house on the western end of the property, and the house that was moved there. I believe there is sufficient justification to conclude that two additional units were added, one on each house, as indicated by repair records. Those two units would be the front of the western house, and the ground floor rear of the eastern house.

A complicating issue, however, is that Mr. McFann and Ms. DeHart have informed me that these two units are substandard, and that the two units which are not allowable under current density code are in fact in excellent condition. Under the circumstances, the City is not interested in making you eliminate the two good units in

567 El Camino Real, San Bruno, California 94066-4299

Exhibit D: 1998 Community Development Director Determination Letter

favor of the two substandard units. You are entitled to choose which units to keep, as long as the total does not exceed four.

The housekeeper's unit represents a special case. Given this woman's situation and age, the City is willing to enter into a deed restriction agreement that would allow you to keep this unit only as long as she occupies it, with removal to take place within 60 days of her vacating. We believe this represents a compassionate interpretation of the zoning ordinance.

You have a right to appeal this decision by filing a written appeal to the Planning Commission and paying the necessary fees within seven (7) days of the date at the top of this page. We will keep the materials you have provided on file. Should you have questions, one of our staff will assist you in any way possible. Thank you for your ongoing cooperation.

Sincerely,

CITY OF SAN BRUNO
Department of Planning and Building



George D. Foscardo, AICP
Community and Economic Development Director

cc Greg McFann, Building Official
Marcia DeHart, Neighborhood Improvement Representative



CITY OF SAN BRUNO
COMMUNITY DEVELOPMENT DEPARTMENT

February 23, 2007

George Corey, Esq.
Corey, Luzaich, Pliska, DeGhetaldi & Nastari
700 El Camino Real
Millbrae, CA 94030

RE: 249 Santa Lucia Avenue

Dear Mr. Corey:

The purpose of this letter is to clarify all issues related to the residential units located at 249 Santa Lucia Avenue. As you know, George Foscardo, the former Community Development Director, wrote a letter to your client specifying that there are only 4 legal units on this property. This letter was written on August 18, 1998 and provided a 7-day appeal period to the Planning Commission. However, I find no record that your client appealed Mr. Foscardo's decision and therefore I must conclude that your client did not exhaust all administrative remedies at the time.

Furthermore, I have reviewed the case myself and concur with George Foscardo's decision that only 4-legal units exist on the site. This conclusion came as of the result of reviewing the material your client provided, researching the City's records, as well as speaking to building inspectors who have been onsite. Although we have asked for documentation that would prove otherwise, we have received no such documentation to this date.

Thus, I am rejecting your request for a determination that there are more than four legal units on your client's property for two separate and independent reasons: (1) failure to timely appeal from the prior final determination made by Mr. Foscardo, and (2) even if I were to reach the merits, the evidence does not support a finding that there are more than four legal units on the property. Your client may appeal these determinations to the Planning Commission pursuant to section 12.92.030 of the San Bruno Municipal Code. There is a 7-day appeal period from the date of this letter. In order to complete a timely appeal, you or your client will need to complete the attached form and pay the applicable fee within the above stated timeframe.

Sincerely,

Aaron Akin, AICP
Interim Community Development Director

CC: Rick Jarvis, Jarvis, Fay & Doporto

Exhibit F: 1986 Building Permit showing Single-Family House at 253 Santa Lucia Avenue



APPLICATION FOR BUILDING PERMIT

CITY OF SAN BRUNO
DEPARTMENT OF PLANNING AND BUILDING INSPECTION
567 EL CAMINO REAL, SAN BRUNO, CALIFORNIA 94066
877-8876

LEGAL	JOB ADDRESS	249 Santa Lucia		VALUATION	\$ 1000	BUILDING PERMIT NUMBER	15130		
	ASSESSORS PARCEL			FEES		RECEIVED BY			
	SUBDIVISION			BLDG. PERM.	\$ 17.50	DATE			
	LOT	BLK	1	PL CHECK		CLASS OF WORK			
OWNER	NAME	Ray Bianchi		PERMIT	SERVICE	ALTER.	ADD'T	FIRE	TERMITE
	ADDRESS	249 Santa Lucia		OUT	FIX	RANGE	DEMOLISH	MOVE	SWIMMING POOL
	CITY	SJS		MTRS	HEAT	DRYER	SIGN		NEW
	TEL. NO.	583-8292		SURF UNIT	OVEN	DESCRIPTION OF WORK			
CONTRACTOR	NAME	Owner		CONTR.	Reframe front stairs				
	ADDRESS			TOTAL	\$				
	CITY			NO OF DWELLING UNITS					
	STATE LIC.			EXISTING <input type="checkbox"/> ADD <input type="checkbox"/>					
ARCH. OR ENG.	NAME			PERMIT	PRESENT USE OF PROPERTY				
	ADDRESS			FURN	BOILER	FANS	Duplex		
	CITY			COMP	HOOD	A/C	OCCUPANCY GROUP R-3		
	LICENSE			CONTR.	TYPE OF CONSTRUCTION DB				
CALIFORNIA STATE LAW REQUIREMENTS				TOTAL	USE ZONE FIRE ZONE				
LICENSED CONTRACTORS DECLARATION				PERMIT	APPROVALS				
<input type="checkbox"/> I hereby affirm that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.				FIX	SEWER	W/H	PLANNING	DATE	
Contractor _____ Date _____				POOL	GAS	VAC/BR.	POLICE	DATE	
OWNER-BUILDER DECLARATION				CONTR.	PUBLIC WORKS				
I hereby affirm that I am exempt from the Contractor's License Law for the following reason (Sec 7031.5, Business and Professions Code): Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he is licensed pursuant to the provisions of the Contractor's License Law [Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code] or that he is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).:				TOTAL	FIRE				
<input type="checkbox"/> I, as owner of the property, or my employees with whom as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec 7034, Business and Professions Code). The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is held within one year of completion, the owner-builder will have the burden of proving that he did not build or improve for the purpose of sale.				SMP	HEALTH				
<input type="checkbox"/> I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec 7034, Business and Professions Code). The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law.				ENERGY INSULATION	This application is a Building Permit when properly filled out, signed, and the correct fees paid.				
<input checked="" type="checkbox"/> I am exempt under Sec. _____, B.P.C. for this reason _____ Date _____				NOISE INSULATION	Permission is therefore granted to do such work as indicated in this application in accordance with and subject to all of the provisions of the Building Code of San Bruno and all related laws.				
				SEWER FEE	This permit becomes null and void if work is not commenced within 120 days from the date of issuance, or if work is suspended at any time for more than 120 days, or if any work is done in violation of any city ordinance or state law relating thereto.				
				WATER METER	Permits must be separately obtained from the Department of Public Works for the installation of sewer laterals, street improvements, sidewalks, driveways and the storage of materials or work within the public right of way.				
				OTHER					
				TOTAL FEES	\$ 18-				

WORKERS' COMPENSATION DECLARATION

☐ I hereby affirm that I have a certificate of consent to self-insure, or a certificate of workers' compensation insurance, or a certificate of exemption therefrom (Sec 3800, Lab C.) Policy No. _____

☐ Certified copy is hereby furnished _____

☐ Certified copy is filed with the City of San Bruno _____

Date _____ Applicant _____

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE

(This section need not be completed if the permit is for one hundred dollars (\$100) or less.)

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to be exempted from the provisions of the Labor Code.

CONSTRUCTION LENDING AGENCY

☐ I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C.).

Lender's Name _____

#13248

Exhibit G: 1983 Building Permit showing Duplex at 249 Santa Lucia Avenue

APPROVED BY: *[Signature]*

DATE: 11-22-83

Signature of Applicant or Agent: *Ray Bianchi*

DATE: 11-22-83

BUILDING INSPECTOR: *[Signature]*

DATE: 11-22-83

1959 ZONING CODE

CITY OF SAN BRUNO

APPLICATION FOR BUILDING PERMIT

Date April 28 1958

Permit No. 7446

Application is hereby made for a permit to ^{erect} alter a ^{story} two

type 5 building of 253 249 Santa Lucia

to be occupied only as Family Dwelling (Moved in S.F. Home)
in accordance with plans, specifications and plot-plan herewith.

Estimated cost of improvements \$ 2750.00

I hereby certify and agree, if a permit is issued, that all the provisions of the BUILDING CODE, THE CITY ZONING ORDINANCE, SET-BACK LINE REQUIREMENTS AND THE FIRE ORDINANCE OF THE CITY OF SAN BRUNO and the STATE HOUSING ACT OF CALIFORNIA will be complied with whether herein specified or not; And I hereby agree to save, indemnify and keep harmless the City of San Bruno against all liabilities, judgments, costs and expenses which may in anywise accrue against said city in consequence of the granting of this permit, or from the use or occupancy of any sidewalk, street or sub-sidewalk placed by virtue thereof, and will in all things strictly comply with the conditions of this permit.

Owner Lita Biondi Address 1004 Park Ave

By Ray Bianchi Address 1004 Park Ave
CONTRACTOR, AGENT Burlington

(OVER)

Exhibit I: 1959 Building Permit for 253 Santa Lucia Avenue

12.92.030 Excess housekeeping units in residential districts.

A. Excess Housekeeping Units Deemed to be Nonconforming Uses.

1. A single excess housekeeping unit on a residential lot shall be deemed to be a legal nonconforming use of a building or structure under the following conditions and subject to the limitations of this section:

- a. The unit was built, constructed, or added prior to June 30, 1977;
- b. The unit is in compliance with the provisions of this code, other than zoning regulations, which were in force when the unit was built, constructed, or added;
- c. The unit does not constitute a public nuisance, as defined in Title 5 of this code.

2. In any action, proceeding or determination as to whether a unit was built, constructed, or added prior to June 30, 1977, the burden of proof shall be upon the property owner, occupant or other persons asserting the legal nonconforming status of the unit.

3. The owner or occupant of any excess housekeeping unit, or the authorized agent of such person, may apply to the planning director for a written determination as to whether such unit constitutes a legal nonconforming use under subsection (A)(1). The applicant shall pay an application fee as prescribed by resolution of the city council and shall provide the director with such information as the director may require. If the director determines that the unit constitutes a legal nonconforming use, he or she shall so advise the applicant in writing and shall maintain a copy of such written determination within the records of the department of planning and building. The determination of the director shall be subject to appeal to the planning commission by the filing of a written notice of appeal and paying the required fee within seven days after the date of determination.

B. Alterations or Modifications of Excess Housekeeping Unit. Ordinary maintenance and repairs may be made to excess housekeeping units. Structural alterations shall be permitted only if they do not increase the floor area of the unit.

C. Excess Housekeeping Units Otherwise Prohibited.

1. Except as permitted in this section, the alteration or maintenance of any existing excess housekeeping unit is a violation of this article.

2. Not more than one excess housekeeping unit shall be permitted on any residential lot under any circumstances.

3. The setting up, construction, or conversion of any housekeeping unit or of any dwelling or portion thereof as an excess housekeeping unit is in violation of this article.

D. Basis of Restrictions and Limitations. The foregoing restrictions and limitations upon establishment of additional excess housekeeping units are based upon the following findings:

1. In adopting this section, the city has done much to promote the full use of housing facilities within existing buildings and structures.

2. Many of the streets within residential districts in the city are narrow and do not conform to present street width standards. As a result, parking and traffic circulation are congested, and the addition of second residential units in these areas would exacerbate the condition.

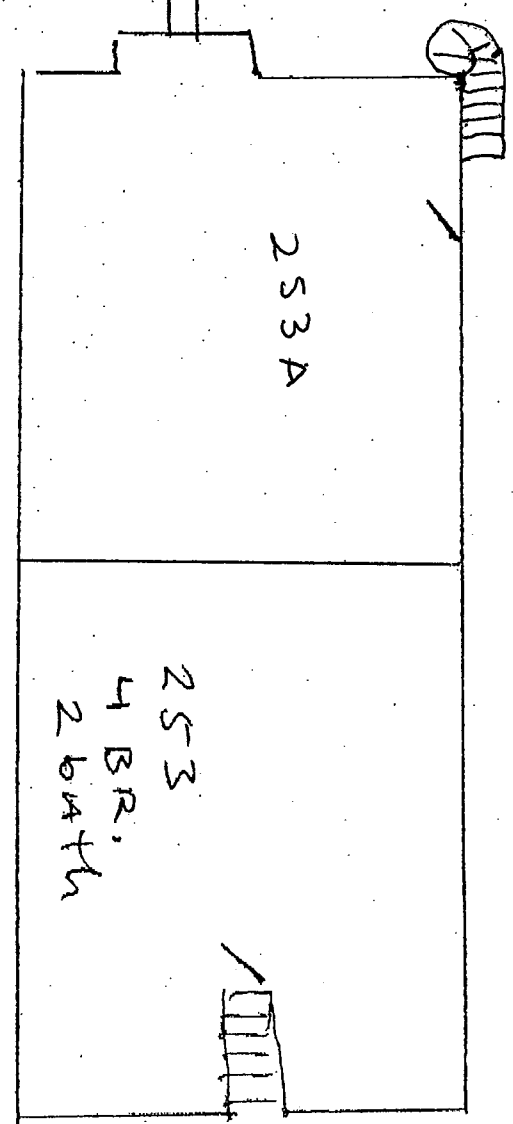
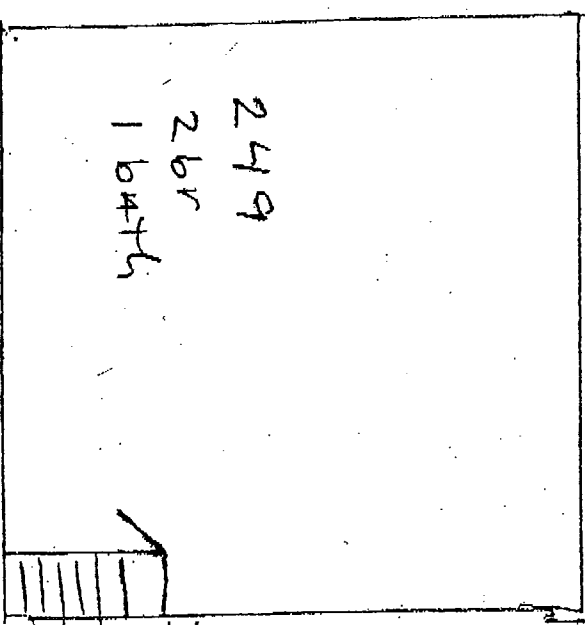
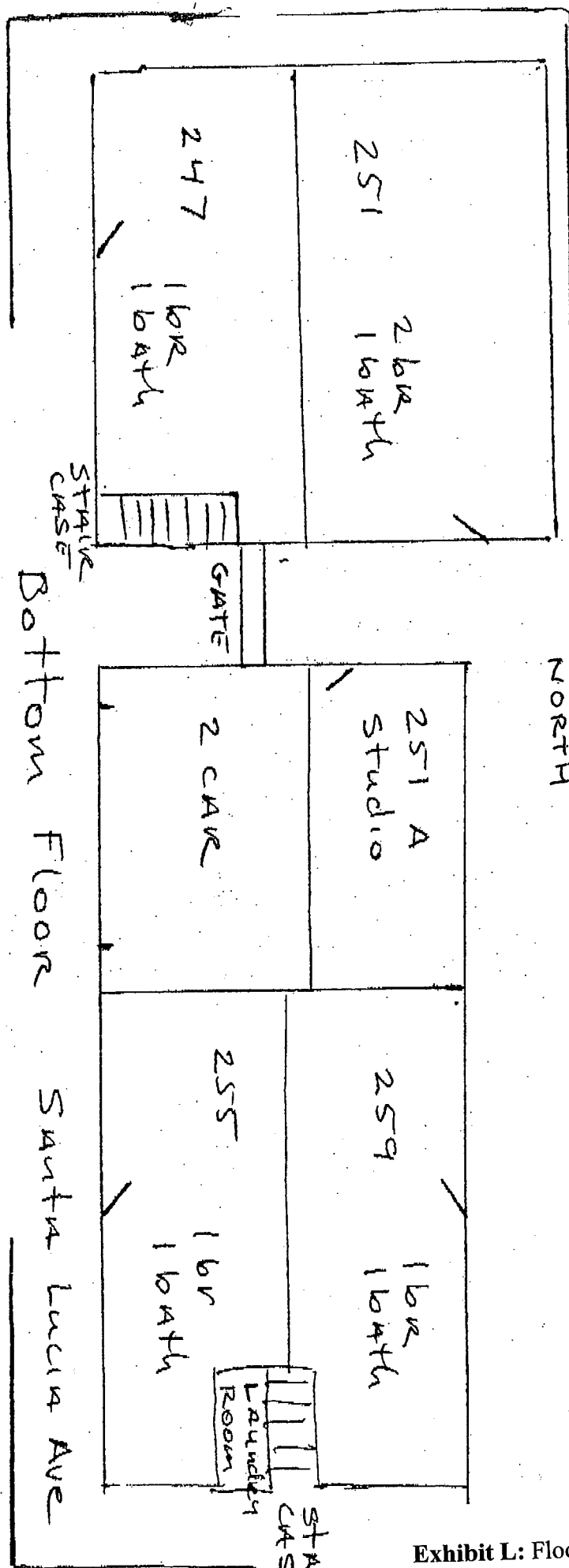
3. Many of the residential parcels in the city are two thousand five hundred square feet in size and do not meet minimum lot size standards. Many of the parcels were developed without required garages or with minimal garage space, and do not comply with existing off-street parking requirements. These are often inadequate to provide adequate parking for their occupants, and result in further congestion of the streets. The addition of second residential units in these areas would only worsen this congestion.

4. The existing sanitary sewer system is over capacity and cannot handle sewage from additional dwelling units which might result from the authorization of second residential units on single family lots.
5. The existing city water system is not of sufficient size to handle such additional dwelling units.
6. It would be detrimental to the public safety and welfare of the community if additional second units were allowed beyond those authorized by existing ordinance.

It is hereby acknowledged that the provisions of this paragraph may limit housing opportunities of the region.
(Ord. 1421 § 1, 1983; Ord. 1410 § 1 (part), 1982: prior code § 27-6.3)



NORTH



Bottom Floor Santa Lucia Ave

San Antonio Ave.

Exhibit L: Floor Plan



567 El Camino Real
San Bruno, CA 94066
Voice: (650) 616-7074
Fax: (650) 873-6749
<http://www.ci.sanbruno.ca.us>

STAFF

Aaron Akin, AICP, *Interim Comm. Development Director*
Mark Sullivan, AICP, *Housing and Redevelopment Manager*
Lisa Costa Sanders, *Acting Planning Manager*
Tony Rozzi, *Assistant Planner*
Laura Russell, *Assistant Planner*
Pamela Thompson, *City Attorney*

PLANNING COMMISSION

Rick Biasotti, *Chair*
Bob Marshall, Jr., *Vice-Chair*
Kevin Chase
Mary Lou Johnson
Perry Petersen
Joe Sammut
Sujendra Mishra

**PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E 7
April 17, 2007**

REQUEST

Ordinance modifying and clarifying the process for obtaining Temporary Use Permits for various activities and for obtaining Police Permits for dance or entertainment events.

RECOMMENDATION

Staff recommends that the Planning Commission **continue** consideration of the Temporary Use Permit Ordinance to the next Planning Commission hearing.

REQUIRED LEGAL NOTICE

1. Advertisement will be published in the *San Mateo Times*.

ENVIRONMENTAL ASSESSMENT

This Ordinance is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 5, Section 15305: Minor Alterations in Land Use Limitations.

UPDATE

Staff is recommending this item be continued to allow for adequate time for public noticing.